
TITLE 68 INDIANA GAMING COMMISSION

Proposed Rule
LSA Document #06-191**DIGEST**

Adds [68 IAC 1-1-31.5](#) and [68 IAC 1-1-41.5](#) concerning definitions for enforcement agent and gaming agent. Amends [68 IAC 1-14](#) to establish a new reimbursement schedule for gaming agents and police personnel and [68 IAC 1](#), [68 IAC 2](#), [68 IAC 6](#), [68 IAC 8](#) through [68 IAC 12](#), [68 IAC 14](#), [68 IAC 15](#), and [68 IAC 17](#) through [68 IAC 19](#) to replace the term commission agent with the term enforcement agent. Effective 30 days after filing with the Publisher.

[IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses](#)

[68 IAC 1-1-31.5](#); [68 IAC 1-1-41.5](#); [68 IAC 1-5-1](#); [68 IAC 1-9-1](#); [68 IAC 1-9-2](#); [68 IAC 1-9-3](#); [68 IAC 1-9-4](#); [68 IAC 1-10-1](#); [68 IAC 1-14-1](#); [68 IAC 1-14-2](#); [68 IAC 1-14-3](#); [68 IAC 1-14-4](#); [68 IAC 1-16-1](#); [68 IAC 1-16-3](#); [68 IAC 2-2-5](#); [68 IAC 2-2-9.5](#); [68 IAC 2-3-5](#); [68 IAC 2-3-9](#); [68 IAC 2-3-9.1](#); [68 IAC 2-3-9.2](#); [68 IAC 2-4-2](#); [68 IAC 2-6-1](#); [68 IAC 2-6-6](#); [68 IAC 2-6-19](#); [68 IAC 2-6-30.1](#); [68 IAC 2-6-31](#); [68 IAC 6-2-4](#); [68 IAC 6-3-2](#); [68 IAC 6-3-4](#); [68 IAC 6-3-5](#); [68 IAC 8-1-1](#); [68 IAC 8-1-5](#); [68 IAC 8-1-8](#); [68 IAC 9-4-1](#); [68 IAC 9-4-4](#); [68 IAC 10-1-6.2](#); [68 IAC 11-1-4](#); [68 IAC 11-1-5](#); [68 IAC 11-2-2](#); [68 IAC 11-2-3](#); [68 IAC 11-2-4](#); [68 IAC 11-3-2](#); [68 IAC 11-3-3](#); [68 IAC 11-3-4](#); [68 IAC 11-4-1](#); [68 IAC 11-4-3](#); [68 IAC 11-5-1](#); [68 IAC 11-6-1](#); [68 IAC 11-7-1](#); [68 IAC 11-7-2](#); [68 IAC 11-7-4](#); [68 IAC 12-1-2](#); [68 IAC 12-1-7](#); [68 IAC 12-1-8](#); [68 IAC 12-1-9](#); [68 IAC 12-1-10](#); [68 IAC 12-1-11](#); [68 IAC 14-3-1](#); [68 IAC 14-3-4](#); [68 IAC 14-3-5](#); [68 IAC 14-4-1](#); [68 IAC 14-4-3](#); [68 IAC 14-4-8](#); [68 IAC 14-5-6](#); [68 IAC 14-7-4](#); [68 IAC 14-9-4](#); [68 IAC 14-16-2](#); [68 IAC 14-16-3](#); [68 IAC 15-1-1](#); [68 IAC 15-1-4](#); [68 IAC 15-1-5](#); [68 IAC 15-2-1](#); [68 IAC 15-2-2](#); [68 IAC 15-4-1](#); [68 IAC 15-4-2](#); [68 IAC 15-5-3](#); [68 IAC 15-5-4](#); [68 IAC 15-6-1](#); [68 IAC 15-6-2](#); [68 IAC 15-7-2](#); [68 IAC 15-7-4](#); [68 IAC 15-9-1](#); [68 IAC 15-9-3](#); [68 IAC 15-10-4.1](#); [68 IAC 17-1-1](#); [68 IAC 17-1-2](#); [68 IAC 17-1-3](#); [68 IAC 17-2-1](#); [68 IAC 17-2-2](#); [68 IAC 17-2-3](#); [68 IAC 18-1-1](#); [68 IAC 18-1-2](#); [68 IAC 19-1-4](#)

SECTION 1. [68 IAC 1-1-31.5](#) IS ADDED TO READ AS FOLLOWS:

[68 IAC 1-1-31.5](#) "Enforcement agent" defined

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#); [IC 4-33-4-3.5](#)

Affected: [IC 4-33](#)

Sec. 31.5. "Enforcement agent" means either of the following:

- (1) An individual employed by the commission who is a member of the enforcement section of the commission's division of gaming agents.
- (2) A member of the Indiana state police department who is assigned to a riverboat licensee as a member of the Indiana state police gaming division.

(Indiana Gaming Commission; [68 IAC 1-1-31.5](#))

SECTION 2. [68 IAC 1-1-41.5](#) IS ADDED TO READ AS FOLLOWS:

[68 IAC 1-1-41.5](#) "Gaming agent" defined

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#); [IC 4-33-4-3.5](#)

Affected: [IC 4-33-4.5-5](#)

Sec. 41.5. "Gaming agent" means an individual employed by the commission under [IC 4-33](#) who is a member of the division of gaming agents and compensated on the salary matrix prescribed in [IC 4-33-4.5-5](#).

(Indiana Gaming Commission; [68 IAC 1-1-41.5](#))

SECTION 3. [68 IAC 1-5-1](#) IS AMENDED TO READ AS FOLLOWS:

68 IAC 1-5-1 Obligation to report certain events

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 1. Any riverboat or supplier licensee shall provide a written notice to the executive director at such time as it becomes aware of the following:

- (1) Any violation or apparent violation of any rule of the commission by any of the following:
 - (A) The riverboat or supplier licensee.
 - (B) Any substantial owner, key person, or employee of the riverboat or supplier licensee.
 - (C) Any person acting, or authorized to act, on behalf of or in furtherance of the interests of the riverboat or supplier licensee or any affiliate of the licensee.
- (2) Any change in status of any owner's license, supplier's license, or the equivalent issued to it or an affiliate by any other governmental entity.
- (3) Any civil litigation filed against the riverboat or supplier licensee.
- (4) Any criminal, civil, or administrative action, threatened action, or investigation initiated by any governmental entity against the riverboat or supplier licensee.
- (5) Any claims made by any governmental entity concerning any tax liability of a licensee or any key person or substantial owner of the licensee.
- (6) Any civil, criminal, administrative, or tax action initiated:
 - (A) by or against an employee of the riverboat licensee if the action relates to the gaming activity conducted by the riverboat licensee; **or**
 - ~~(7) Any civil, criminal, administrative, or tax action initiated~~ (B) against a key person, substantial owner, or an affiliate of a riverboat or supplier licensee, if such action relates to a gaming operation under the jurisdiction of any governmental entity.
- ~~(8) (7)~~ Any bankruptcy, receivership, or debt adjustment initiated by or against the riverboat or supplier licensee or any affiliate thereof or the licensee's substantial owners.
- ~~(9) (8)~~ Any Title 31 compliance review conducted by the Internal Revenue Service. The riverboat or supplier licensee must provide a copy of any compliance review report or the equivalent within ten (10) days of the receipt of the report by the licensee.
- ~~(10) (9)~~ Any action, event, or nonevent, with respect to which the executive director has instructed the licensee to provide notice so that the executive director can ensure that the licensee continues to maintain suitability for licensure.
- ~~(11) (10)~~ Any apparent criminal activity taking place on riverboat property. This information must also be submitted to a ~~commission~~ **an enforcement** agent.

(Indiana Gaming Commission; 68 IAC 1-5-1; filed Jun 23, 1995, 2:30 p.m.: 18 IR 2649; filed Apr 19, 1996, 3:00 p.m.: 19 IR 2247; readopted filed Oct 15, 2001, 4:34 p.m.: 25 IR 898; filed Sep 30, 2004, 11:00 a.m.: 28 IR 532)

SECTION 4. [68 IAC 1-9-1](#) IS AMENDED TO READ AS FOLLOWS:

68 IAC 1-9-1 Applicability; definitions

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 1. (a) This rule shall ~~applies~~ **apply** to each riverboat licensee.

(b) The following definitions apply throughout this rule:

- (1) "Central computer system" means one (1) or more computer systems that meet the following requirements:
 - (A) Is connected to all electronic gaming devices in the riverboat to record and monitor the activities of the electronic gaming devices, including, but not limited to, the following or the equivalent:
 - (i) The opening of any door of the electronic gaming device.
 - (ii) Hopper credits and fills.
 - (iii) Last game recount for a minimum of five (5) games.
 - (iv) Drop bucket collection.
 - (B) Is capable of monitoring the activities of the live gaming devices, including, but not limited to, the following or the equivalent:
 - (i) Table fills.

- (ii) Table credits.
- (iii) Table game inventories.
- (iv) Employee gratuity deposit accounting.
- (C) Is capable of monitoring the activities of the main bank and all cages, including, but not limited to, the following or the equivalent:
 - (i) Manual payouts.
 - (ii) Hopper credits and hopper fills.
 - (iii) Table credits and fills.
 - (iv) Hard and soft count summary log.
 - (v) Master gaming report.
 - (vi) Cashier checkout.
 - (vii) Main bank and cage inventory.
 - (viii) Deposits.
 - (ix) Cash transaction reports.
 - (x) Patron credit.

(D) Is capable of monitoring the riverboat licensee's accounting package.

~~(2) "Commission agent" means one (1) of the members of the Indiana state police department who is assigned to work with the commission's gaming enforcement section.~~

~~(3)~~ **(2)** "Interim compliance period" means the period of time between the issuance of a certificate of suitability and the issuance of a permanent riverboat owner's license or the issuance of a notice of denial.

~~(4)~~ **(3)** "Main bank", or its equivalent, means the department that is responsible for the following:

- (A) Cashing customer checks.
- (B) Establishing hold check privileges.
- (C) Redeeming chips or tokens, or both.
- (D) Providing working funds to all operational departments.
- (E) Assuming responsibility for the following persons and physical structures:
 - (i) Casino cashiers.
 - (ii) Change attendants.
 - (iii) Main bank vaults.
 - (iv) Any other structure that houses tokens, chips, or other representatives of value that the main bank is accountable for.

~~(5)~~ **(4)** "Riverboat license applicant" means an applicant for a riverboat owner's license that has been issued a certificate of suitability under [68 IAC 2-1-5](#).

(c) Each riverboat licensee shall provide a riverboat commission surveillance room aboard the riverboat. The riverboat commission surveillance room shall be for the exclusive use of the commission and ~~commission~~ **enforcement** agents.

(d) Each riverboat licensee shall provide **the following**:

(1) A commission dockside office at the dockside support facilities. The commission dockside office shall be for the exclusive use of the commission and ~~commission~~ **enforcement** agents.

~~(e)~~ Each riverboat licensee shall provide **(2)** A processing area at the dockside support facilities. The processing area shall be for the exclusive use of the commission and ~~commission~~ **enforcement** agents.

~~(f)~~ **(e)** The riverboat license applicant shall submit the plans for the commission surveillance room, commission dockside office, and processing area to the executive director for approval as to size and design during the interim compliance period. The executive director shall approve the plans for the commission surveillance room, commission dockside office, and processing area, in writing, within thirty (30) days of receipt of the plans.

~~(g)~~ **(f)** The riverboat licensee or riverboat license applicant shall provide a minimum of five (5) parking spaces for use by the commission and ~~commission~~ **enforcement** agents in close proximity to the riverboat.

~~(h)~~ **(g)** The riverboat licensee shall:

- (1)** be responsible for providing the on-site and off-site repair of computer and related equipment; and ~~shall~~;
- (2)** in a timely manner, provide replacement equipment approved by the executive director or the executive director's designee when deemed necessary by the executive director or the executive director's designee to ensure compliance with the Act and this title.

(Indiana Gaming Commission; [68 IAC 1-9-1](#); filed Jun 23, 1995, 2:30 p.m.: 18 IR 2650; filed Dec 29, 1998, 10:48

SECTION 5. [68 IAC 1-9-2](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 1-9-2](#) Riverboat commission surveillance room requirements

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 2. (a) The riverboat commission surveillance room shall meet the following requirements:

- (1) Be of sufficient size to accommodate two (2) individuals and the equipment listed in subsection (b).
- (2) Be in close proximity to the surveillance room or the security room, or both.
- (3) The interior of the riverboat commission surveillance room shall not be visible to the patrons or employees of the riverboat licensee.
- (4) The riverboat commission surveillance room shall have locks that are not accessible with keys that open any other door within the riverboat gambling operation. Only the commission, ~~commission~~ **enforcement** agents, and the master shall possess keys that access the riverboat commission surveillance room. The master shall use the keys to the riverboat commission surveillance room only in the event of an emergency.
- (5) Be furnished with office furniture sufficient to accommodate two (2) individuals.

(b) The riverboat licensee shall equip the riverboat commission surveillance room with the following:

(1) A personal computer with view and print access to all of the riverboat licensee's computer equipment aboard the riverboat, including, but not limited to, the following:

- (A) Player tracking system.
- (B) Patron credit system.
- (C) Central computer system.

The personal computer shall have off-line word processing capabilities that are compatible with the commission computer system.

(2) A printer attached to the personal computer described in subdivision (1).

(3) A minimum of three (3) video monitors that meet the following requirements:

- (A) The video monitors must be of the same or higher quality of those utilized in the surveillance room.
- (B) At least one (1) video monitor must be a color video monitor.
- (C) Each video monitor must be equipped with videotape recorders to record and play back videotapes. The videotape recorders shall be of equal or better quality than those utilized in the surveillance room.
- (D) The video monitors must be capable of monitoring or recording, or both, without being overridden, anything visible by video monitor to employees of the riverboat licensee working in the surveillance room.

(4) A video printer capable of generating instantaneously, upon command, a clear color or black and white, or both, copy of the image depicted on videotape.

(5) A date and time generator synchronized to a central clock capable of being displayed on any of the video monitors and being recorded on videotape.

(6) A separate and segregated telephone communication system for the exclusive use of the ~~commission~~ **enforcement** agents.

(7) A telephone communication system that is integrated with the casino telephone system.

(8) At least two (2) portable radios that have listen and talk capabilities that can monitor all casino radio systems, including the riverboat licensee's security radio system.

(9) A computer system that will immediately notify ~~commission~~ **enforcement** agents of any access to or egress from the following:

- (A) Surveillance room.
- (B) Hard count room.
- (C) Soft count room.
- (D) Cages.
- (E) Vaults.
- (F) Any other room or area of the riverboat deemed necessary by the executive director to ensure compliance with the Act and this title.

(10) A fireproof, lockable file cabinet. Only the commission and ~~commission~~ **enforcement** agents shall have keys that access the file cabinet in the riverboat commission surveillance room.

(11) Any other equipment deemed necessary by the executive director to ensure compliance with the Act and this title.

(Indiana Gaming Commission; [68 IAC 1-9-2](#); filed Jun 23, 1995, 2:30 p.m.: 18 IR 2651; readopted filed Oct 15, 2001, 4:34 p.m.: 25 IR 898)

SECTION 6. [68 IAC 1-9-3](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 1-9-3](#) Commission dockside office

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 3. (a) The commission dockside office shall meet the following requirements:

- (1) Be of sufficient size to accommodate two (2) individuals, the equipment listed in subsection (b), and the processing room described in section 4 of this rule.
- (2) Be in close proximity to the administrative offices or the dockside security offices.
- (3) The interior of the commission dockside office shall not be visible to the patrons or employees of the riverboat licensee.
- (4) The commission dockside office shall have locks that are not accessible with keys that open any other door within the riverboat gambling operation. Only the commission and ~~commission~~ **enforcement** agents shall possess keys that access the commission dockside office.
- (5) Be furnished with office furniture sufficient to accommodate two (2) individuals.

(b) The commission dockside office shall contain the following equipment:

(1) A personal computer with view and print access to all of the riverboat licensee's computer equipment aboard the riverboat, including, but not limited to, a player tracking system, a patron credit system, and a central computer system. The personal computer must be able to network with the commission computer system and with the processing area computer equipment set forth in section 4 of this rule. The riverboat licensee is responsible for providing the technical support necessary to ensure that the personal computer in the commission dockside office can network with the commission computer system and the processing area computer equipment. The personal computer must have the following software installed:

- (A) Operating system software.
- (B) Word processing software.
- (C) Electronic mail software.
- (D) Virus protection software.
- (E) Any other software deemed necessary by the executive director or the executive director's designee to ensure compliance with the Act and this title.

All software programs must be approved by the executive director or the executive director's designee as being sufficient to ensure compliance with the Act and this title. The riverboat ~~licensee~~ **licensee** is responsible for providing the appropriate licenses and upgrades for each software product.

(2) A personal computer that is compatible with the commission computer system that can network with the commission computer system and that can network with the processing area computer equipment as set forth in section 4 of this rule. The riverboat licensee is responsible for providing the technical support necessary to ensure that the personal computer in the commission dockside office can network with the commission computer system and the processing area computer equipment. The personal computer must have the following software installed:

- (A) Operating system software.
- (B) Word processing software.
- (C) Electronic mail software.
- (D) Virus protection software.
- (E) Any other software deemed necessary by the executive director or the executive director's designee to ensure compliance with the Act and this title.

All software programs must be approved by the executive director or the executive director's designee as being sufficient to ensure compliance with the Act and this title. The riverboat ~~licensee~~ **licensee** is responsible for providing the appropriate licenses and upgrades for each software product.

(3) A stand-alone high speed printer that can be networked and shared by all personal computers contained in the commission dockside office and processing area.

(4) A minimum of two (2) video monitors that meet the following requirements:

- (A) The video monitors must be of the same or higher quality of those utilized in the surveillance room.
- (B) At least one (1) video monitor must be color.

- (C) Each video monitor must be equipped with videotape recorders to record and play back videotapes. The videotape recorders shall be of equal or better quality than those utilized in the surveillance room.
- (D) The video monitors must be capable of **the following**:
- (i) Monitoring or recording, or both, without being overridden, anything visible by video monitor to employees of the riverboat licensee at the support facilities.
- ~~(E) The video monitors must be capable of~~ (ii) Monitoring and recording, without being overridden, anything visible to employees of the riverboat licensee working in the surveillance room on the riverboat while the riverboat is docked.
- (5) A video printer capable of generating instantaneously, upon command, a clear color or black and white, or both, copy of the image depicted on videotape.
- (6) A date and time generator synchronized to a central clock capable of being displayed on any of the video monitors and being recorded on videotape.
- (7) A separate and segregated telephone communication system for the exclusive use of the ~~commission~~ **enforcement** agents.
- ~~(8) A separate and segregated telephone communications system for state police microwave communications.~~
- ~~(9)~~ (8) A telephone communication system that is integrated with the riverboat licensee's telephone system.
- ~~(10)~~ (9) An electric typewriter.
- ~~(11)~~ (10) At least one (1) portable radio that has listen and talk capabilities that can monitor all casino radio systems, including the riverboat licensee's security radio system.
- ~~(12)~~ (11) A computer system that will immediately notify ~~commission~~ **enforcement** agents of any access to or egress from any money retention area located at the support facilities and access to or egress from the following while the riverboat remains at the dock:
- (A) Surveillance room.
- (B) Hard count room.
- (C) Soft count room.
- (D) Cages.
- (E) Vaults.
- (F) Any other room or area of the riverboat deemed necessary by the executive director to ensure compliance with the Act and this title.
- ~~(13)~~ (12) A fireproof, lockable file cabinet. Only the commission and ~~commission~~ **enforcement** agents shall have keys that access the file cabinet in the commission surveillance room.
- ~~(14)~~ (13) A commercial grade photocopier.
- ~~(15)~~ (14) A facsimile machine.
- ~~(16)~~ (15) Any other equipment deemed necessary by the executive director to ensure compliance with the Act and this title.

(Indiana Gaming Commission; 68 IAC 1-9-3; filed Jun 23, 1995, 2:30 p.m.: 18 IR 2652; errata filed Aug 17, 1995, 1:30 p.m.: 19 IR 42; filed Jan 30, 1998, 11:00 a.m.: 21 IR 2055; filed Dec 29, 1998, 10:48 a.m.: 22 IR 1425; readopted filed Oct 15, 2001, 4:34 p.m.: 25 IR 898)

SECTION 7. [68 IAC 1-9-4](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 1-9-4](#) Processing area

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 4. (a) There shall be separate space at the support facilities to allow ~~commission~~ **enforcement** agents to continually process applicants for occupational licenses. This space shall meet the following requirements:

- (1) Be of sufficient size to allow the processing of multiple applicants for occupational licenses.
- (2) Be in direct proximity to the commission dockside office.

(b) The riverboat licensee shall equip the processing area with an integrated computer system that meets the following requirements:

- (1) Is capable of **the following**:
 - (A) Recording background data.
 - ~~(2) Is capable of~~ (B) Taking digital ten (10) print live-scan fingerprints that meet the requirements of the Federal Bureau of Investigation.
- ~~(3)~~ (2) Contains a digitized photograph station system, including a camera and all related equipment to

produce identification cards bearing the following:

(A) A photograph at least three-fourths (3/4) of an inch square.

(B) The information set forth in [68 IAC 2-3-6](#).

~~(4)~~ **(3)** Is capable of reading a magnetic stripe as described in [68 IAC 2-3-6](#).

~~(5)~~ **(4)** The riverboat licensee or riverboat license applicant shall purchase the integrated computer system from a vendor chosen in accordance with [IC 4-13.4](#) [*IC 4-13.4 was repealed by P.L. 49-1997, SECTION 86, effective July 1, 1998.*] and 25 IAC. This system shall be the property of the commission.

(c) A personal computer that will allow ~~commission~~ **enforcement** agents to access and maintain the occupational licensee database. The personal computer must have the following software installed:

(1) Operating system software.

(2) Word processing software.

(3) Electronic mail software.

(4) Virus protection software.

(5) Occupational license database software.

(6) Any other software deemed necessary by the executive director or the executive director's designee to ensure compliance with the Act and this title.

All software programs must be approved by the executive director or the executive director's designee as being sufficient to ensure compliance with the Act and this title. The riverboat ~~license~~ **licensee** is responsible for providing the appropriate licenses and upgrades for each software product.

(d) The riverboat licensee shall be responsible for providing the upgrades to the integrated computer system that are deemed necessary by the commission to ensure compliance with the Act and this title.

(Indiana Gaming Commission; [68 IAC 1-9-4](#); filed Jun 23, 1995, 2:30 p.m.: 18 IR 2653; filed Jan 30, 1998, 11:00 a.m.: 21 IR 2055; filed Dec 29, 1998, 10:48 a.m.: 22 IR 1427; readopted filed Oct 15, 2001, 4:34 p.m.: 25 IR 898)

SECTION 8. [68 IAC 1-10-1](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 1-10-1](#) General provisions

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 1. (a) This rule applies to all riverboat licensees.

(b) Riverboat licensees or riverboat license applicants must submit a floor plan or floor plans outlining each deck of the riverboat and the location, number, or position of each electronic gaming device and live gaming device. The floor plan or floor plans must be submitted, in accordance with [68 IAC 17-1-2](#)(d), to the executive director at least twenty (20) days before the commencement of gambling operations.

(c) The riverboat licensee must notify the executive director and a ~~commission~~ **an enforcement** agent at least five (5) days before utilizing a floor plan that has previously been submitted to the executive director.

(d) Amendments to the floor plan or floor plans must be submitted to the executive director at least five (5) days before the amendment is utilized. The riverboat licensee must also provide this information to the ~~commission~~ **enforcement** agent.

(Indiana Gaming Commission; [68 IAC 1-10-1](#); filed Jul 18, 1996, 9:05 a.m.: 19 IR 3290; filed Jul 18, 1996, 9:05 a.m.: 19 IR 3290; readopted filed Oct 15, 2001, 4:34 p.m.: 25 IR 898)

SECTION 9. [68 IAC 1-14-1](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 1-14-1](#) Applicability

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#); [IC 4-33-4-3.5](#)

Affected: [IC 4-33](#); [IC 10-11-2-2](#)

Sec. 1. (a) This rule applies to all riverboat licensees and ~~riverboat license applicants~~ **operating agents**.

(b) ~~For the following definitions apply throughout~~ **purpose of** this rule,

~~(1) "Gaming enforcement section" means the section of the Indiana state "police department that consists of troopers and support staff who assist the commission with the enforcement of the Act and this title, the laws of Indiana and who carry out investigations necessary to ensure compliance with the Act and this title.~~

~~(2) "Trooper" employee~~ **"employee"** has the meaning set forth in [IC 10-1-1-10](#); [IC 10-11-2-2](#) regardless of rank.

(Indiana Gaming Commission; [68 IAC 1-14-1](#); filed May 29, 1998, 5:05 p.m.: 21 IR 3701; readopted filed Oct 15, 2001, 4:34 p.m.: 25 IR 898)

SECTION 10. [68 IAC 1-14-2](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 1-14-2](#) Reimbursable expenses

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#); [IC 4-33-4-3.5](#)

Affected: [IC 4-33](#)

Sec. 2. Riverboat licensees and ~~riverboat license applicants~~ **operating agents** shall reimburse the commission, as set forth in section 3 of this rule, for the following items:

(1) The actual salaries of the ~~troopers~~ **enforcement agents** assigned to the ~~licensee's or operating agent's~~ **riverboat or riverboats**.

(2) A pro rata amount of the actual salaries of the ~~troopers~~ **gaming agents or police employees, or both**, who ~~provide supervision of~~ **supervise** the ~~troopers assigned to the riverboat.~~ **enforcement agents**.

(3) A pro rata amount of the actual salaries of the ~~civilian support staff assigned to provide support for the troopers assigned to the riverboat and~~ **enforcement agents or to the supervisory personnel, or both, in subdivision (2).**

(4) The cost or pro rata cost of **the following:**

(A) The fringe benefits received by those individuals listed in subdivisions (1) through (3).

~~(5) The cost or pro rata cost of the~~ **(B) Any** incentive payments received by ~~those individuals~~ **the police employees** listed in subdivisions (1) through (3).

~~(6) (5) The actual overtime costs incurred by those individuals listed in subdivisions (1) through (3) in the performance of duties associated with the gaming enforcement section or the equivalent.~~ **riverboat.**

~~(7) (6) For enforcement agents and supervisory personnel who are police employees,~~ the actual cost **or pro rata cost of purchasing, maintaining and replacing** all vehicles and equipment normally provided to all ~~troopers that are provided to the troopers assigned to the riverboat and the supervisor personnel.~~ **police employees.**

~~(8) The actual cost of all equipment necessary~~ **(7) For the troopers assigned to the riverboat enforcement agents and the supervisory personnel to have the same communication capabilities with the district as a trooper assigned to road duties would have. **who are commission employees, the cost or pro rata cost of purchasing, maintaining and replacing all vehicles and equipment deemed necessary by the executive director.****

~~(9) The cost of maintaining and replacing all vehicles and equipment utilized by the troopers, supervisory personnel, and support staff.~~

~~(10) (8) The pro rata cost of providing the troopers assigned to the riverboat and the supervisory personnel~~ **all gaming agents** with the training deemed necessary by the commission to ensure the required expertise and understanding of the assignment to the riverboat.

~~(11) The cost incurred by the Indiana state police to replace the troopers assigned to the riverboat and supervisory personnel.~~

~~(12) The actual cost incurred by the Indiana state police to train the replacement troopers.~~

~~(13) The actual cost of all vehicles and equipment normally provided to a trooper that are purchased by the Indiana state police for the replacement troopers.~~

~~(14) (9) All other costs deemed necessary by the commission to ensure compliance with the Act and this title.~~

(Indiana Gaming Commission; [68 IAC 1-14-2](#); filed May 29, 1998, 5:05 p.m.: 21 IR 3701; readopted filed Oct 15, 2001, 4:34 p.m.: 25 IR 898)

SECTION 11. [68 IAC 1-14-3](#) IS AMENDED TO READ AS FOLLOWS:

68 IAC 1-14-3 Interdepartmental bill

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#); [IC 4-33-4-3.5](#)

Affected: [IC 4-33](#)

Sec. 3. (a) The Indiana state police shall, through interdepartmental bill, assess ~~the~~ **applicable** costs listed in section 2 of this rule to the commission. The commission will reimburse the Indiana state police for the amount assessed.

(b) **For all reimbursable expenses covered by this rule**, the commission will prepare an invoice that will be sent to the riverboat licensee or ~~riverboat license applicant~~ **operating agent**. The riverboat licensee or ~~riverboat license applicant~~ **operating agent must** pay the commission in the manner directed in the invoice.

(Indiana Gaming Commission; [68 IAC 1-14-3](#); filed May 29, 1998, 5:05 p.m.: 21 IR 3702; readopted filed Oct 15, 2001, 4:34 p.m.: 25 IR 898)

SECTION 12. [68 IAC 1-14-4](#) IS AMENDED TO READ AS FOLLOWS:

68 IAC 1-14-4 Disciplinary action

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#); [IC 4-33-4-3.5](#)

Affected: [IC 4-33](#)

Sec. 4. If the commission determines that a riverboat licensee or ~~riverboat license applicant~~ **operating agent** has violated this rule, the commission may initiate a disciplinary action under [68 IAC 13](#).

(Indiana Gaming Commission; [68 IAC 1-14-4](#); filed May 29, 1998, 5:05 p.m.: 21 IR 3702; readopted filed Oct 15, 2001, 4:34 p.m.: 25 IR 898)

SECTION 13. [68 IAC 1-16-1](#) IS AMENDED TO READ AS FOLLOWS:

68 IAC 1-16-1 General provisions

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#); [IC 12-21-1-1](#)

Sec. 1. (a) This rule applies to all riverboat licensees and riverboat license applicants.

(b) **For the following definitions apply throughout purposes of this rule,**

~~(1) "Commission agent" means one (1) of the members of the Indiana state police department who is assigned to the commission's gaming enforcement section and who is on duty.~~

~~(2) "division of mental health" means the division established by [IC 12-21-1-1](#).~~

(c) The riverboat licensee or riverboat license applicant is responsible for **the following:**

(1) Ensuring that all aspects of the riverboat gambling operation are conducted in accordance with the Act, this title, and all other state, federal, and local laws. ~~The riverboat licensee or riverboat license applicant is responsible for~~

(2) The acts of its employees and agents in the course of their employment.

(Indiana Gaming Commission; [68 IAC 1-16-1](#); filed Feb 23, 1998, 11:30 a.m.: 21 IR 2310; readopted filed Oct 15, 2001, 4:34 p.m.: 25 IR 898)

SECTION 14. [68 IAC 1-16-3](#) IS AMENDED TO READ AS FOLLOWS:

68 IAC 1-16-3 Access to premises; production of records

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 3. ~~(a)~~ All riverboat licensees and riverboat license applicants must **do the following**:

(1) Allow the commission, ~~commission~~ **enforcement** agents, and any person authorized by the Act immediate access to the premises of the riverboat licensee or riverboat license applicant that are connected to the riverboat gambling operation, including, but not limited to, the following:

- ~~(1)~~ **(A)** The riverboat.
- ~~(2)~~ **(B)** The pavilion.
- ~~(3)~~ **(C)** The support facility.
- ~~(4)~~ **(D)** All offices.

~~(b) All riverboat licensees and riverboat license applicants must~~ **(2)** Produce the original or a copy, or both, of any records requested by the commission, ~~commission~~ **enforcement** agents, or persons authorized by the commission.

(Indiana Gaming Commission; [68 IAC 1-16-3](#); filed Feb 23, 1998, 11:30 a.m.: 21 IR 2310; readopted filed Oct 15, 2001, 4:34 p.m.: 25 IR 898)

SECTION 15. [68 IAC 2-2-5](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 2-2-5](#) Licensing procedures

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33-4-11](#); [IC 4-33-7-3](#)

Sec. 5. (a) An application for a supplier's license shall be subject to the following procedures in order to obtain a supplier's license:

- (1) Application.
- (2) Issuance of a temporary supplier's license.
- (3) Investigation of the applicant.
- (4) Action by the commission.
- (5) Issuance of a permanent supplier's license.
- (6) Different or additional licensing procedures the commission requires of the applicant to ensure compliance with the Act and this title.

(b) Procedures for a temporary supplier's license shall be as follows:

(1) An applicant for a supplier's license must submit a completed application, an application fee, and an agreement or statement of intent on a form prescribed by the commission, indicating that the riverboat licensee or riverboat license applicant will utilize the applicant for the provision of goods and services listed in section 1 of this rule to the riverboat licensee.

(2) Once the commission has received the completed application, the application fee, and the agreement or statement of intent, the commission shall obtain the applicant's fingerprints at a time and place directed by the executive director. If the application or a criminal history check completed by a ~~commission~~ **an enforcement** agent, or both, does not reveal that the applicant:

(A) has been convicted of a felony under Indiana law, the laws of any other state, or the laws of the United States; and ~~the applicant~~

(B) meets the statutory criteria set forth in [IC 4-33-7-3](#);

the commission shall issue the applicant a temporary license.

(3) The temporary supplier's license shall:

(A) be on a form prescribed by the commission; and ~~shall~~

(B) meet the specifications set forth in section 6 of this rule.

(4) An applicant who receives a temporary license may supply the riverboat licensee with goods and services until a permanent license is issued or the temporary license is withdrawn.

(5) A temporary supplier's license shall not be transferred. If an applicant fails to begin or ceases providing a riverboat licensee with goods or services, the applicant shall:

(A) advise the commission immediately; and ~~shall~~

(B) return the temporary license to the commission.

The failure to advise the commission that the applicant has failed to begin or has ceased providing a riverboat

licensee with goods and services may be grounds to deny licensure in the future.

(6) Requirements for the withdrawal of a temporary supplier's license shall include the following:

(A) The executive director, upon written notice to the applicant and the riverboat licensee who has signed a statement of intent, may withdraw a temporary supplier's license if the executive director determines that the background investigation reveals unsuitability for licensure.

(B) If an applicant's temporary supplier's license is withdrawn, the applicant shall not be permitted to provide any riverboat licensee with any of the goods or services listed in section 1 of this rule.

(C) If an applicant's temporary supplier's license is withdrawn by the executive director, the executive director shall immediately forward the application to the commission for commission action.

(D) The applicant may seek to voluntarily withdraw the application ~~prior to~~ **before** the commission action on withdrawal of a temporary supplier's license.

(7) An applicant must comply with all requests for information, documents, or other materials relating to the applicant and the application during the investigation conducted by the commission.

(c) The applicant shall meet the following standards, qualifications, or criteria to be issued a supplier's license:

(1) The applicant and the applicant's substantial owners must possess the qualifications set forth in [IC 4-33-7-3](#).

(2) The applicant, in the case of an individual, or the applicant's substantial owners must be twenty-one (21) years of age.

(3) The applicant and the applicant's substantial owners must demonstrate a level of skill, experience, knowledge, and ability necessary to supply the goods or services applicant seeks permission to provide.

(4) The applicant or the applicant's substantial owners must not:

(A) have been convicted of any offense for a violation of a gaming law in any jurisdiction; **or**

~~(5) The applicant or the applicant's substantial owners must not~~ **(B)** appear on the exclusion list of any jurisdiction for having violated a rule of gaming.

~~(6)~~ **(5)** An applicant who will supply the riverboat with alcoholic beverages or other goods or services requiring an additional permit or certificate from any state government or the federal government must hold the appropriate permit or certificate from the alcoholic beverage commission or the appropriate governmental entity.

~~(7)~~ **(6)** The applicant or the applicant's substantial owners must be in substantial compliance with all state and federal tax laws.

~~(8)~~ **(7)** An applicant must meet any other standard that the commission deems necessary to ensure compliance with the Act and this title after publication of the standard.

(d) The commission may place restrictions or conditions on a temporary supplier's license. The applicant must comply with these restrictions or conditions before the commission issues a permanent supplier's license. These restrictions or conditions may include, but are not limited to, the following:

(1) That the supplier licensee begin supplying a riverboat gambling operation within a reasonable period of time.

(2) That the supplier licensee demonstrate to the commission that the goods or services the supplier licensee will provide to a riverboat gambling operation are in compliance with the Act and this title.

(3) That the supplier licensee has adequate insurance in accordance with [IC 4-33-4-11](#) and subsection (f).

The supplier licensee must continue to meet all conditions or restrictions for licensure after the issuance of the permanent supplier's license. If a supplier licensee fails to adhere to these conditions or restrictions or fails to maintain suitability for licensure, the commission may initiate a disciplinary action under [68 IAC 13](#).

(e) Action of the commission shall be as follows:

(1) After the completion of the background investigation, if the commission finds that an applicant is suitable to receive a supplier's license, the commission shall direct the executive director to issue the applicant a permanent supplier's license upon the payment of the annual licensing fee. The permanent license shall be on a form prescribed by the commission and shall meet the specifications set forth in section 6 of this rule. If the applicant's annual licensing fee is not received by the commission within ten (10) days after the date of the mailing of the notification of the applicant's suitability for licensure to the applicant, the executive director shall:

(A) withdraw the applicant's temporary supplier's license; and

(B) notify the commission that the temporary supplier's license has been withdrawn.

(2) If the commission determines that the applicant is not suitable to receive a supplier's license, it shall direct the executive director to issue the applicant a notice of denial by personal delivery or certified mail.

(f) A supplier licensee must obtain or maintain, or both, insurance in a minimum amount determined by the

commission. The supplier licensee shall obtain or maintain, or both, the following types of insurance:

- (1) Liability.
- (2) Casualty.
- (3) Capital loss.
- (4) Fire.
- (5) Theft.
- (6) Worker's compensation insurance.
- (7) Any other type of insurance the commission deems necessary to ensure the supplier licensee is adequately insured.

After the commission issues a temporary supplier's license to the applicant, the commission shall direct the executive director to advise the applicant, in writing, of the amount of insurance ~~which~~ **that** the applicant must obtain or maintain, or both. Failure to comply with this subsection may result in the revocation of a temporary supplier's license or the denial of the issuance of a permanent supplier's license.

(g) The supplier licensee is under a continuing duty to maintain the minimum amount of insurance specified by the commission under subsection (f). The commission may initiate a disciplinary action under [68 IAC 13](#) if the supplier licensee fails to maintain the requisite insurance.

(Indiana Gaming Commission; [68 IAC 2-2-5](#); filed Nov 10, 1994, 11:00 a.m.: 18 IR 490; filed Dec 11, 1995, 4:30 p.m.: 19 IR 1021; errata filed Apr 9, 1996, 12:15 p.m.: 19 IR 2044; readopted filed Oct 15, 2001, 4:34 p.m.: 25 IR 898)

SECTION 16. [68 IAC 2-2-9.5](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 2-2-9.5](#) Records

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33-4-6](#)

Sec. 9.5. (a) This rule applies to all supplier licensees and supplier's license applicants.

(b) All supplier licensees and supplier's license applicants shall maintain, in a place secure from theft, loss, or destruction, adequate records of business operations. These records shall be held for at least five (5) years ~~These records and~~ shall include, but not be limited to, the following:

- (1) All correspondence with or reports to the commission or to any local, state, or federal government agency.
- (2) All financial statements or financial records of the supplier.
- (3) All records pertaining to products or services supplied by the supplier licensee to Indiana riverboat licensees or Indiana riverboat license applicants.
- (4) All correspondence with riverboats licensed under [IC 4-33](#) or documentation relating to order, shipment, or receipt or provision of merchandise or services sold or provided under the Act or this title.
- (5) Personnel files on each employee of the supplier licensee, including sales representatives.

(c) All supplier licensees and supplier's license applicants must produce the original or a copy, or both, of any records requested by the commission, ~~commission~~ **enforcement** agents, or persons authorized by the commission.

(d) No original book, record, or document that is required to be maintained by this section may be destroyed without prior approval of the commission.

(e) If a supplier licensee or supplier's license applicant fails to comply with this section, the commission may initiate disciplinary action ~~pursuant to~~ **under** [68 IAC 13-1](#).

(Indiana Gaming Commission; [68 IAC 2-2-9.5](#); filed Dec 2, 2001, 12:35 p.m.: 25 IR 1061)

SECTION 17. [68 IAC 2-3-5](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 2-3-5](#) Licensing procedures

Sec. 5. (a) An applicant for an occupational license shall be subject to the following procedures ~~prior to~~ **before** licensing:

- (1) Application.
- (2) Issuance of a temporary identification badge. The temporary identification badge shall serve as the temporary occupational license until the permanent occupational license has been issued or denied.
- (3) Investigation of the applicant.
- (4) If an applicant for an occupational license, Level 1, 2, or 3 has been convicted of a felony under Indiana law, the laws of any other state, or the laws of the United States, the application is automatically denied in accordance with [IC 4-33-8-3](#)(2). The:
 - (A) executive director shall issue the applicant a notice of denial by certified mail; or ~~the commission~~
 - (B) **enforcement** agent who receives the completed application may personally deliver a notice of denial to the applicant.
- (5) Action by the commission.
- (6) Issuance of a permanent identification badge. The permanent identification badge shall serve as the permanent occupational license.
- (7) Different or additional licensing procedures the commission requires of the applicant to ensure the applicant is in compliance with the Act and this title.

(b) Procedures for a temporary occupational license shall be as follows:

- (1) An applicant for an occupational license must submit a completed application that has been stamped and signed by the riverboat licensee, the riverboat license applicant, or its authorized agent to the ~~commission~~ **enforcement** agent at the commission's dock site office during times designated by the ~~commission~~ **enforcement** agents.
- (2) Once the ~~commission~~ **enforcement** agent has received the completed occupational license application and appropriate fee, the ~~commission~~ **enforcement** agent shall obtain the applicant's fingerprints and photograph. If the application or a criminal record check completed by a ~~commission~~ **an enforcement** agent, or both, does not reveal that the applicant has been convicted of a felony under Indiana law, the laws of any other state, or the laws of the United States, the ~~commission~~ **enforcement** agent shall issue the applicant a temporary identification badge.
- (3) An applicant who receives a temporary identification badge may work on a riverboat until a permanent license is issued or the temporary identification badge is revoked.
- (4) The temporary identification badge shall be a card of a color designated by the executive director and that meets the specifications set forth in section 6 of this rule. The color of the temporary identification badge shall be different from the color of the permanent identification badge.
- (5) Temporary identification badges shall be:
 - (A) worn by all occupational licensees during work hours; ~~Temporary identification badges shall be and~~
 - (B) clearly displayed.
- (6) A fee of ten dollars (\$10) shall be:
 - (A) paid to the commission for any necessary replacement of temporary identification badge; ~~The fee shall be and~~
 - (B) assessed each time an occupational licensee obtains a replacement temporary identification badge.
- (7) A temporary identification badge shall not be transferred. If the applicant resigns or his or her employment is terminated, the applicant shall return the temporary badge to the commission.
- (8) Requirements for the revocation of a temporary identification badge shall include the following:
 - (A) The executive director, upon written notice to the applicant and the riverboat licensee, may revoke an applicant's temporary badge if the executive director determines that the background investigation reveals that an applicant is not suitable for licensure.
 - (B) The executive director, or the executive director's designee, upon written notice to the applicant and the riverboat licensee, may revoke an applicant's temporary occupational license if the executive director or the executive director's designee determines that the applicant has violated the Act or this title, or committed a criminal offense in the performance of the applicant's duties for the riverboat licensee.
 - (C) If an applicant's temporary identification badge is revoked, the:
 - (i) applicant shall not be permitted to work for any riverboat gambling operation at duties that are to be performed on a riverboat; **and**
 - (D) ~~If an applicant's temporary identification badge is revoked, the~~ (ii) application shall be forwarded to the commission for action unless the applicant withdraws the application ~~prior to~~ **before** commission action.

(9) An applicant must comply with all requests for information, documents, or other materials relating to the applicant and his or her application during the investigation conducted by the commission.

(c) The applicant shall meet the following standards, qualifications, or criteria to be issued an occupational license of any level:

(1) The applicant must:

(A) possess the qualifications set forth in [IC 4-33-8-3](#); and

~~(2) The applicant must~~ **(B)** demonstrate a level of skill, experience, or knowledge necessary to perform the job that the applicant will perform.

~~(3)~~ **(2)** An applicant whose knowledge, experience, and skill are derived solely from the completion of an occupational training school that is not in compliance with [68 IAC 2-5](#) shall not be considered to have the requisite skill, experience, or knowledge necessary to conduct gambling games. An applicant who has completed an occupational training school that is not in compliance with [68 IAC 2-5](#) may be hired if the riverboat licensee will provide the appropriate training.

~~(4)~~ **(3)** The applicant must not have been convicted of any offense involving violation of a gaming law in any jurisdiction.

~~(5)~~ **(4)** The applicant's name must not appear on the exclusion list of any jurisdiction.

~~(6)~~ **(5)** The applicant must never have had a gaming license suspended or revoked in any jurisdiction.

~~(7)~~ **(6)** An applicant who will serve alcoholic beverages must hold the appropriate permits from the alcoholic beverage commission.

~~(8)~~ **(7)** An applicant whose duties will be to operate or navigate the riverboat must hold the appropriate licenses or merchant marine documents, or both, from the United States Coast Guard.

~~(9)~~ **(8)** An applicant who will work on a riverboat that is docked on the waters of Lake Michigan must hold a valid merchant marine document only when required by the United States Coast Guard.

~~(10)~~ **(9)** An applicant whose duties will be to operate or navigate the riverboat must not have violated any criminal statute involving drugs or alcohol, or both, in any jurisdiction.

~~(11)~~ **(10)** An applicant must not be currently abusing drugs or alcohol, or both.

~~(12)~~ **(11)** An applicant must:

(A) be twenty-one (21) years of age;

~~(13) An applicant must~~ **(B)** be in substantial compliance with all state and federal tax laws;

~~(14) An applicant must~~ **(C)** be of good moral character and reputation; and

~~(15) An applicant must~~ **(D)** meet any other standard that the commission deems necessary to ensure compliance with the Act and this title after publication of the standard.

(d) The commission may place restrictions or conditions on a temporary occupational license. The applicant must comply with these restrictions or conditions before the commission issues an occupational license. These restrictions or conditions may include, but are not limited to, the following:

(1) That the applicant demonstrates a level of skill, experience, or knowledge necessary to perform the job that the applicant will perform.

(2) That the applicant who will serve alcoholic beverages holds the appropriate permits from the alcoholic beverage commission.

(3) That the applicant who will operate or navigate the riverboat holds the appropriate license or merchant marine documents, or both, from the United States Coast Guard.

The occupational licensee must continue to meet all conditions or restrictions for licensure after the issuance of the permanent occupational license. If an occupational licensee fails to adhere to these conditions or restrictions or fails to maintain suitability for licensure, the commission may initiate a disciplinary action under [68 IAC 13](#).

(e) Action of the commission shall be as follows:

(1) After the background investigation has been completed, if the commission finds that the applicant is suitable to receive an occupational license, the commission shall direct the executive director to issue the applicant an occupational license upon the payment of the applicant's occupational license fee. The permanent identification badge shall serve to represent the permanent occupational license. If the applicant's occupational license fee is not received by the commission within ten (10) business days after the date of the mailing of the notification of the applicant's suitability for licensing to the applicant and the riverboat licensee, the executive director shall:

(A) revoke the applicant's temporary identification badge; and

(B) notify the commission that the temporary identification badge has been revoked.

(2) If the commission determines that the applicant is not suitable to receive an occupational license, it shall:

(A) direct the executive director to issue the applicant a notice of denial by personal delivery or certified mail;

(B) immediately revoke the temporary license; and

(C) notify the appropriate riverboat licensee of the revocation of the temporary license.

(f) Requirements for a permanent identification badge shall be as follows:

(1) Upon a finding of suitability for licensure, the commission shall issue an occupational license in the form of a permanent identification badge.

(2) The permanent identification badge shall remain the property of the commission at all times. The occupational license may be:

- (A) revoked;
- (B) suspended;
- (C) canceled; or
- (D) restricted;

by the commission in accordance with [68 IAC 13](#). The commission may refuse to renew the license when it is reviewed under section 8 of this rule.

(3) Neither the occupational license number nor the permanent identification badge shall be transferred to another person. If the occupational licensee resigns or the occupational licensee's employment is terminated, the occupational licensee shall return the permanent identification badge to the commission.

(4) The permanent identification badge shall be **as follows**:

(A) A card of a color designated by the executive director and that meets the specifications set forth in section 6 of this rule. The color of the permanent identification badge shall be different from the color of the temporary identification badge.

~~(5) The permanent identification badge shall be~~ **(B)** Worn by all occupational licensees during work hours. Permanent identification badges shall be clearly displayed.

~~(6) (5)~~ A fee of ten dollars (\$10) shall be:

(A) paid to the commission for any necessary replacement of a permanent identification badge; ~~The fee shall be and~~

(B) assessed each time an occupational licensee obtains a replacement permanent identification badge.

(Indiana Gaming Commission; [68 IAC 2-3-5](#); filed Nov 10, 1994, 11:00 a.m.: 18 IR 497; filed Jan 30, 1998, 11:00 a.m.: 21 IR 2056; filed May 29, 1998, 5:12 p.m.: 21 IR 3704; errata filed Aug 12, 1998, 3:58 p.m.: 22 IR 125; filed Dec 29, 1998, 10:46 a.m.: 22 IR 1418; errata filed Jan 11, 1999: 3:54 p.m.: 22 IR 1525; readopted filed Oct 15, 2001, 4:34 p.m.: 25 IR 898; filed Dec 2, 2001, 12:35 p.m.: 25 IR 1061; filed Sep 30, 2004, 11:00 a.m.: 28 IR 533)

SECTION 18. [68 IAC 2-3-9](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 2-3-9](#) Duty to maintain suitability; duty to disclose

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#)

Affected: [IC 4-33](#)

Sec. 9. (a) All occupational licensees have a continuing duty to maintain suitability for licensure. An occupational license does not create a property right, but is a revocable privilege granted by the state contingent upon continuing suitability for licensure.

(b) Riverboat licensees shall notify the commission that an occupational licensee is in violation of the requirements of this rule or [IC 4-33](#) if the riverboat licensee is aware of the violation.

(c) Occupational licensees shall **do the following**:

(1) Notify the commission of any changes in the information submitted in the application or any information that could render the licensee ineligible to hold an occupational license.

~~(d) Occupational licensees shall~~ **(2)** Cooperate with and provide truthful information to ~~commission~~ **enforcement** agents and staff during any investigation regarding criminal activity or regulatory violations, or both.

~~(e)~~ **(d)** Occupational licensees must notify the commission that a riverboat licensee, a supplier licensee, or an occupational licensee has violated the Act or this title as soon as the occupational licensee becomes aware of the violation. If an occupational licensee fails to notify the commission of a violation of the Act or this title by a riverboat licensee, a supplier licensee, or an occupational licensee, the commission may initiate a disciplinary action.

(Indiana Gaming Commission; [68 IAC 2-3-9](#); filed Nov 10, 1994, 11:00 a.m.: 18 IR 500; filed Aug 20, 1997, 7:11 a.m.: 21 IR 11; readopted filed Oct 15, 2001, 4:34 p.m.: 25 IR 898; filed Sep 30, 2004, 11:00 a.m.: 28 IR 535)

SECTION 19. [68 IAC 2-3-9.1](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 2-3-9.1](#) Duty to update information

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 9.1. ~~(a) As used in this rule, "commission agent" means one (1) of the members of the Indiana state police department who is assigned to work with the commission and who is on duty.~~

~~(b)~~ **(a)** All occupational licensees must submit, in writing, to the ~~commission~~ **enforcement** agent the following information:

- (1) Name changes.
- (2) Change of home address.
- (3) Change of home telephone number.
- (4) The filing of a bankruptcy by the occupational licensee.
- (5) That the occupational licensee has:

- (A)** been arrested for;
- (B) been** indicted of;
- (C) been** charged with;
- (D) been** convicted of; or
- (E)** plead guilty to;

any felony or misdemeanor offense.

- (6) Any other information that would affect the occupational licensee's suitability to maintain a license under the Act or [68 IAC 2-3](#): **this rule.**

~~(c)~~ **(b)** The written document setting forth the ~~above~~ information required by subsection ~~(b)~~ **(a)** must: ~~also~~

(1) set forth the name and occupational license number of the individual; **and**

~~(d)~~ The written document must **(2)** be submitted within ten (10) calendar days of the change or the occurrence of the event.

(Indiana Gaming Commission; [68 IAC 2-3-9.1](#); filed Feb 18, 1998, 9:45 a.m.: 21 IR 2311; readopted filed Oct 15, 2001, 4:34 p.m.: 25 IR 898)

SECTION 20. [68 IAC 2-3-9.2](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 2-3-9.2](#) Riverboat licensee's duty to update commission

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 9.2. (a) This rule applies to all riverboat licensees.

~~(b) As used in this rule, "commission agent" means one (1) of the members of the Indiana state police department who is assigned to work with the commission and who is on duty.~~

~~(c)~~ **(b)** Riverboat licensees must advise the ~~commission~~ **enforcement** agent, on a form prescribed or approved by the commission, when one (1) of the following events occurs with an occupational licensee:

- (1) The occupational licensee's employment with the riverboat licensee is terminated for any reason.
- (2) The occupational licensee:

- (A)** is suspended by the riverboat licensee;
- ~~(3) The occupational licensee~~ **(B)** is on a leave of absence; **or**
- ~~(4) The occupational licensee~~ **(C)** transfers to another position with the riverboat licensee.

~~(d)~~ **(c)** The form utilized by the riverboat licensee to report the information set forth in subsection ~~(e)~~ **(b)** must provide, at a minimum, the following information:

(1) The:

~~(A) name; of the occupational licensee.~~

~~(2) The (B) address; of the occupational licensee. and~~

~~(3) The (C) telephone number;~~

of the occupational licensee.

~~(4) (2) The occupational license number.~~

~~(5) (3) The marital status of the occupational licensee.~~

~~(6) (4) The date the change or action will take effect.~~

~~(7) (5) The job title and position of the occupational licensee affected.~~

~~(8) (6) The reason for the change or action taken.~~

~~(9) (7) If the occupational licensee was terminated:~~

~~(A) whether the termination was voluntary or involuntary; and~~

~~(10) If the occupational licensee was terminated, (B) whether or not the riverboat licensee collected the identification badge from the occupational licensee.~~

~~(11) (8) The:~~

~~(A) signature of the individual completing the form for the riverboat licensee; and the~~

~~(B) date on which the form was completed.~~

The form must be submitted to the ~~commission~~ **enforcement** agent within fifteen (15) days of the occurrence of the change or action.

~~(e)~~ **(d)** Riverboat licensees must collect the identification badge issued by the commission to an occupational licensee when the occupational licensee's employment with the riverboat licensee is terminated for any reason. All identification badges collected by the riverboat licensee must be turned over to a ~~commission~~ **an enforcement** agent within seven (7) days.

(Indiana Gaming Commission; [68 IAC 2-3-9.2](#); filed Feb 18, 1998, 9:45 a.m.: 21 IR 2313; readopted filed Oct 15, 2001, 4:34 p.m.: 25 IR 898)

SECTION 21. [68 IAC 2-4-2](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 2-4-2](#) Requests for waivers

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33-3-23](#); [IC 4-33-4-17](#); [IC 4-33-8-3](#); [IC 4-33-8-11](#)

Sec. 2. (a) A request for waiver shall meet the following requirements:

(1) Be in writing.

(2) State the name, current address, and current telephone number of the petitioner.

(3) State the level of occupational license the petitioner has applied for and the job a riverboat licensee or a riverboat license applicant has offered the petitioner.

(4) State briefly the facts upon which the petitioner will rely to show that the petitioner has been rehabilitated.

(5) A request for a waiver shall be signed, verified, and dated by the petitioner. ~~Such~~ **The** verification shall be notarized and shall include a certification stating, "Under the penalty of perjury, the undersigned has examined this request for review and to the best of my knowledge and belief, it is true, complete, and correct."

(b) A request for a waiver shall be submitted within ten (10) days after the date of delivery of the notice of denial and shall meet the following requirements:

(1) The petitioner may submit a request for waiver by:

(A) personal delivery;

(B) certified mail, postage prepaid;

(C) overnight express mail, postage prepaid; or

(D) personal delivery to the ~~commission~~ **enforcement** agent who receives the completed application from a person seeking an occupational license, Level 2 or 3.

(2) A request for a waiver shall be submitted to the executive director at the commission's office in Indianapolis, Indiana, unless it is personally submitted to the ~~commission~~ **enforcement** agent at the dock site.

(3) A request for a waiver submitted by certified mail or overnight express mail shall be deemed timely submitted if it is postmarked ~~no~~ **not** later than ten (10) days after service of the notice of denial.

(c) A request for a waiver may not be withdrawn if the commission determines that withdrawal is not in the best interest of the public or the gaming industry. If the commission allows a petitioner to withdraw its waiver request, the denial of the issuance of an occupational license becomes a final commission order.

(Indiana Gaming Commission; [68 IAC 2-4-2](#); filed Nov 10, 1994, 11:00 a.m.: 18 IR 501; readopted filed Oct 15, 2001, 4:34 p.m.: 25 IR 898)

SECTION 22. [68 IAC 2-6-1](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 2-6-1](#) General provisions

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#); [IC 4-33-4-5](#)

Affected: [IC 4-33](#)

Sec. 1. (a) This rule applies to riverboat licensees.

(b) All electronic gaming devices used on a riverboat must meet the specifications set forth in this rule.

(c) The following definitions apply throughout this rule:

~~(1) "Commission agent" means one (1) of the members of the Indiana state police department who is assigned to work with the commission's gaming enforcement section and who is on duty.~~

~~(2) (1) "Inappropriate token-in" means a token which that has been accepted by an electronic gaming device after the electronic gaming device:~~

~~(A) has already accepted the maximum number of tokens; or when the electronic gaming device~~

~~(B) is in a state which that normally rejects additional tokens.~~

~~(3) (2) "Leakage current" means an electrical current which that flows when a conductive path is provided between exposed portions of an electronic gaming device and the environmental electrical ground when the electronic gaming device is isolated from the normal AC power ground.~~

~~(4) (3) "Par sheet" means a document, provided by the electronic gaming device manufacturer, which that depicts the:~~

~~(A) possible outcomes from the play of an electronic gaming device; the~~

~~(B) probability of occurrence of each; and the~~

~~(C) contribution of each winning outcome to the payback percentage of the electronic gaming device.~~

~~(5) (4) "RAM" or "random access memory" means the electronic component used for computer work space and storage of volatile information in an electronic gaming device.~~

~~(6) (5) "Randomness" means the unpredictability and absence of pattern in the outcome of an event or sequence of events.~~

~~(7) (6) "Random number generator" means hardware, software, or combination of hardware and software devices for generating number values that exhibit characteristics of randomness.~~

~~(8) (7) "ROM" or "read only memory" means the electronic component used for storage of nonvolatile information in an electronic gaming device, including programmable ROM and erasable programmable ROM.~~

~~(9) (8) "Runs test" means a mathematical statistic that determines the existence of recurring patterns within a set of data.~~

~~(10) (9) "Sensitive keys" means keys that:~~

~~(A) either management or the commission considers sensitive to the riverboat licensee's operation; and~~

~~(B) therefore require strict control over custody and issuance in accordance with [68 IAC 11-7](#).~~

~~(11) (10) "Standard chi-squared analysis" means the sum of the squares of the difference between the expected result and the observed result.~~

~~(12) (11) "Tilt condition" means a programmed error state for an electronic gaming device which that occurs when the electronic gaming device detects an internal error, malfunction, or attempted cheating. The electronic gaming device ceases processing further input, output, or display information other than that indicating the tilt condition itself.~~

(d) Before an individual may enter an electronic gaming device for any reason, the individual must insert a card into the electronic gaming device that will record, at a minimum, the following information on the central

computer system:

- (1) The identity of the individual entering the electronic gaming device.
- (2) The date and time that the electronic gaming device is:
(A) entered; and
~~(3) The date and time that the electronic gaming device is **(B)** exited.~~
- ~~(4)~~ **(3)** The identity of the electronic gaming device that is entered.

(e) After an individual has entered an electronic gaming device for any reason, the individual must complete a log that is maintained inside the electronic gaming device. The log shall contain, at a minimum, the following information:

- (1) The name and occupational license number of the individual entering the electronic gaming device.
- (2) The date and time that the electronic gaming device is:
(A) entered; and
~~(3) The date and time that the electronic gaming device is **(B)** exited.~~
- ~~(4)~~ **(3)** The identity of the electronic gaming device.
- ~~(5)~~ **(4)** The reason for the entry.

(f) A riverboat licensee may not offer a prize to a patron who achieves a certain winning combination on an electronic gaming device unless the value of the prize is computed into the payout percentage of the EPROM installed in the electronic gaming device.

(Indiana Gaming Commission; [68 IAC 2-6-1](#); filed Jan 17, 1996, 11:00 a.m.: 19 IR 1300; filed Aug 20, 1997, 7:11 a.m.: 21 IR 11; readopted filed Oct 15, 2001, 4:34 p.m.: 25 IR 898)

SECTION 23. [68 IAC 2-6-6](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 2-6-6](#) Electronic gaming device inventory requirements; conversion notification

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 6. (a) The riverboat licensee must maintain an inventory of electronic gaming devices and equipment. The inventory must include the following:

- (1) The serial number assigned to the electronic gaming device by the manufacturer.
- (2) The registration number issued by the commission.
- (3) The type of game **for which** the electronic gaming device is designed and used. ~~for.~~
- (4) The denomination of tokens accepted by each electronic gaming device.
- (5) The location of electronic gaming devices equipped with bill validators and any bill validators that stand alone.
- (6) The manufacturer of the electronic gaming device.
- (7) The location of the electronic gaming device.

(b) This inventory report must be submitted, on a form prescribed by the commission, to the executive director on the anniversary date of the issuance of the riverboat owner's license.

(c) If a riverboat licensee converts an electronic gaming device, the riverboat licensee must take the following steps:

- (1) Request permission for the conversion from the commission and supply the commission with the following information:
 - (A) The:
~~(i) serial number; of the electronic gaming device that is being converted.~~
~~(B) The (ii) commission registration number; of the electronic gaming device that is being converted.~~
~~(C) The (iii) machine number; of the electronic gaming device that is being converted. and~~
~~(D) The (iv) model number;~~
of the electronic gaming device that is being converted.
 - ~~(E) (B)~~ The type of electronic gaming device that is being converted and the new type of machine if the type of machine is changed.
 - ~~(F) (C)~~ The location of the electronic gaming device on the riverboat.

~~(G)~~ **(D)** If the electronic gaming device is:

- (i)** a stand alone progressive; or is
- (ii)** linked to a progressive controller;

the old rate of progression and the new rate of progression must be submitted.

~~(H)~~ **(E)** The current and future denomination of the electronic gaming device if the denomination is to be converted.

~~(I)~~ **(F)** The current and future EPROM number that is installed or that is to be installed in the electronic gaming device. If a new EPROM is installed in an electronic gaming device, the EPROM must be one that is approved for use in Indiana.

~~(J)~~ **(G)** Regular fill amount.

~~(K)~~ **(H)** Initial fill amount.

~~(L)~~ **(I)** Probe level measured from the top of the hopper.

~~(M)~~ **(J)** Any other information deemed necessary by the executive director or the commission to ensure compliance with the Act and this title.

This information must be submitted to the commission at least fourteen (14) days before the riverboat licensee plans to make the conversion. The request for conversion shall have a space for the commission to sign indicating approval of the conversion request and a space for the signature of the ~~commission~~ **enforcement** agent to indicate the conversion was completed.

(2) The commission must approve the request for conversions before a conversion may be made by the riverboat licensee.

(3) ~~A commission~~ **An enforcement** agent must **do the following:**

(A) KOBETRON the EPROMS to ensure that the EPROMS being installed match those on the request for conversion.

~~(4) A commission agent must~~ **(B)** Seal the EPROM with tape in accordance with section 19 of this rule.

~~(5)~~ **(4)** In the presence of a ~~commission~~ **an enforcement** agent, a slot technician or the equivalent shall ensure that the payglass installed on the electronic gaming device accurately reflects the payouts for the EPROM that has been installed in the electronic gaming device. The payglass test may be performed by either:

(A) running the payout table test; or by

(B) ensuring the payglass matches the approved diagram set forth in the payglass manual maintained by the commission.

~~(6)~~ **(5)** The riverboat licensee shall **do the following:**

(A) Ensure that a copy of the par sheet is placed in the electronic gaming device in accordance with section 5 of this rule.

~~(7) The riverboat licensee shall~~ **(B)** Perform a coin test to ensure that the electronic gaming device is communicating with the central computer system. If the electronic gaming device is not communicating with the central computer system, the electronic gaming device must be disabled.

~~(8)~~ **(6)** The riverboat licensee must **do the following:**

(A) Update the master list of electronic gaming devices after the conversion is complete. ~~The riverboat licensee must~~

(B) Provide the chief counsel for the commission and the sergeant of the Indiana state police department assigned to the riverboat with a copy of the updated master list within fourteen (14) days of the conversion.

(Indiana Gaming Commission; [68 IAC 2-6-6](#); filed Jan 17, 1996, 11:00 a.m.: 19 IR 1302; filed Aug 20, 1997, 7:11 a.m.: 21 IR 12; readopted filed Oct 15, 2001, 4:34 p.m.: 25 IR 898; filed Dec 2, 2001, 12:35 p.m.: 25 IR 1064)

SECTION 24. [68 IAC 2-6-19](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 2-6-19](#) Tape sealed areas

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 19. Electronic gaming devices must have logic boards and any computer chips that store memory in a locked area within the electronic gaming device that is sealed with evidence tape. The evidence tape must:

(1) be affixed by a ~~commission~~ **an enforcement** agent; and must

(2) include the date, signature, and identification number of the ~~commission~~ **enforcement** agent.

This tape may only be removed by a ~~commission~~ **an enforcement** agent.

(Indiana Gaming Commission; [68 IAC 2-6-19](#); filed Jan 17, 1996, 11:00 a.m.: 19 IR 1306; readopted filed Oct 15,

SECTION 25. [68 IAC 2-6-30.1](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 2-6-30.1](#) Integrity of electronic gaming device

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#)

Affected: [IC 4-33-8](#)

Sec. 30.1. (a) If the integrity of any electronic gaming device has been legitimately questioned, the riverboat licensee shall run the appropriate diagnostic tests on the device. If the riverboat licensee determines that the device is malfunctioning, the riverboat licensee shall remove the device from play until:

- (1) the device has been repaired; and
- (2) it has been determined that the device meets the requirements of the Act and this title.

(b) The riverboat licensee shall record the following information with respect to an electronic gaming device that has been removed from play:

- (1) The date and time that the integrity of an electronic gaming device was questioned.
- (2) The type of device that was questioned.
- (3) The:
 - (A) serial number issued by the manufacturer; and ~~the~~
 - (B) registration number issued by the commission.
- (4) The length of time that the device was removed from play.
- (5) The reason that the device was not functioning properly.
- (6) The:
 - (A) remedial action taken to ensure that the device conforms to the requirements of the Act and this title; and ~~the~~
 - (B) date on which the action was taken.
- (7) The printed name, signature, and occupational license number of all employees taking the remedial action.
- (8) If an outside company takes remedial action on the device, the following information must be maintained:
 - (A) The:
 - (i) name; ~~of the company.~~
 - (B) ~~The~~ (ii) address; ~~of the company.~~ and
 - (C) ~~The~~ (iii) telephone number;of the company.
 - ~~(D)~~ (B) The names of any individuals who performed remedial action on the device.
- (9) A verification that the device meets the requirements of the Act and this title after the remedial action was taken.
- (10) The:
 - (A) name, address, and telephone number of the individual who complained about the device; and ~~the~~
 - (B) nature of the complaint.

The riverboat licensee must notify the ~~commission~~ **enforcement** agent, in writing, of each electronic gaming device that has been removed from play.

(c) The records described in subsection (b) shall be:

- (1) maintained by the riverboat licensee for a period of one (1) year; and ~~shall be~~
- (2) available for commission review upon request.

(Indiana Gaming Commission; [68 IAC 2-6-30.1](#); filed Jun 1, 1998, 3:38 p.m.: 21 IR 3711; errata filed Aug 12, 1998, 4:00 p.m.: 22 IR 125; readopted filed Oct 15, 2001, 4:34 p.m.: 25 IR 898)

SECTION 26. [68 IAC 2-6-31](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 2-6-31](#) Authorization for progressive electronic gaming devices

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 31. (a) This section authorizes the use of progressive electronic gaming devices within one (1) riverboat provided that the electronic gaming devices meet:

- (1) the requirements stated in sections 1 through 30 and 46 of this rule; and
- (2) any additional requirements imposed by sections 32 through 42 of this rule.

(b) The riverboat licensee shall notify the executive director and the ~~commission~~ **enforcement** agent of the following information ~~prior to~~ **before** the utilization of progressive electronic gaming devices within the riverboat:

(1) The:

- (A) serial numbers; ~~of the electronic gaming devices that are common to a single progressive link. and~~
- (2) ~~The~~ (B) commission registration number;

~~of the electronic gaming devices that are common to a single progressive link.~~

~~(3)~~ (2) The odds of hitting the progressive amount on each of the electronic gaming devices that is attached to that link.

~~(4)~~ (3) The reset value of the progressive link.

~~(5)~~ (4) The rate of progression for that progressive link.

~~(6)~~ (5) How the rate of progression is split between the various progressive components.

~~(7)~~ (6) Any other information deemed necessary by the executive director or the commission to ensure compliance with the Act and this title.

(c) Wide area progressive games that link electronic gaming devices located on more than one (1) riverboat must be approved by the executive director and the commission on a case-by-case basis.

(Indiana Gaming Commission; [68 IAC 2-6-31](#); filed Jan 17, 1996, 11:00 a.m.: 19 IR 1308; readopted filed Oct 15, 2001, 4:34 p.m.: 25 IR 898)

SECTION 27. [68 IAC 6-2-4](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 6-2-4](#) Eviction list

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33-3-23](#); [IC 4-33-6](#)

Sec. 4. (a) Each riverboat licensee's eviction list shall include the following information, to the extent known, for all evicted persons:

- (1) Name, including aliases.
- (2) Date of birth.
- (3) A physical description.
- (4) The person's current address.
- (5) A photograph, to be taken at the time of eviction.
- (6) Reason for eviction.

(b) Each riverboat licensee's eviction list shall list evicted persons in alphabetical order, by the last name of the evicted person.

(c) Copies of each riverboat licensee's eviction list shall be accessible to, at a minimum, the following departments of the riverboat licensee:

- (1) Ticketing.
- (2) Reservations.
- (3) Security.
- (4) Surveillance.
- (5) Accounting.
- (6) Marketing.
- (7) Casino or table games operations.
- (8) Slot operations.

(d) A copy of the riverboat licensee's eviction list shall be provided to the ~~commission~~ **enforcement** agent assigned to the riverboat licensee. Any additions or deletions to the eviction list must be reported immediately to

the ~~commission~~ **enforcement** agent assigned to the riverboat licensee.

(Indiana Gaming Commission; [68 IAC 6-2-4](#); filed Jul 10, 2000, 4:46 p.m.: 23 IR 3063; readopted filed Oct 15, 2001, 4:34 p.m.: 25 IR 898)

SECTION 28. [68 IAC 6-3-2](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 6-3-2](#) Request for placement on the voluntary exclusion list

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 2. (a) Except as provided in section 1(c) of this rule, a person who participates in the voluntary exclusion program agrees to refrain from entering a gaming area under the jurisdiction of the commission.

(b) Any person may make a request to have his or her name placed on the voluntary exclusion list by following the procedures set forth in this section. The request may be made only by the individual and not by any other person. An individual must not be under the influence of alcohol or drugs at the time he or she makes a request for placement on the voluntary exclusion list.

(c) Any person requesting placement on the voluntary exclusion list must submit a completed request for voluntary exclusion as outlined in subsection (d). The individual must appear in person at a commission office or another location designated by the executive director to complete the request for voluntary exclusion. Commission offices are located on the property of each facility under the jurisdiction of the commission in addition to an office located in Indianapolis that is not located on the property of a facility under the jurisdiction of the commission.

(d) A request for voluntary exclusion must be on a form prescribed by the commission and shall include the following information:

(1) Identifying information, including, but not limited to, the following:

(A) Name, including any aliases or nicknames.

(B) Date of birth.

(C) Current residential address.

(D) Current telephone number.

(E) Social Security number.

(F) A physical description, including **the following**:

(i) Height.

(ii) Weight.

(iii) Gender.

(iv) Hair color.

(v) Eye color. **and**

(vi) Any other physical characteristic that may assist in the identification of the person.

(G) A photograph of the individual that will be taken by ~~commission~~ **enforcement** agents at the time the request for voluntary exclusion is submitted.

(H) Driver's license number.

(I) Any other information deemed necessary by the commission.

(2) As part of the request for voluntary exclusion, a person must elect the time period for which he or she wishes to be voluntarily excluded. An individual may select any of the following time periods as a minimum length of exclusion:

(A) One (1) year.

(B) Five (5) years.

(C) Lifetime.

After an individual's request for voluntary exclusion has been processed by the commission staff and the individual's name is added to the voluntary exclusion list, that individual may not apply to decrease the length of exclusion. A voluntarily excluded individual who elected to participate in the program for a period of one (1) year or five (5) years may resubmit a request for voluntary exclusion at any time to increase the minimum length of exclusion. An individual who voluntarily excluded for a period of one (1) year or five (5) years will continue to appear on the list after the expiration of that time period until such time as he or she completes a

request for removal under section 5 of this rule.

(3) The form shall also include a waiver and release, which shall release and forever discharge the state, the commission, and its employees and agents from any liability to the person requesting placement on the voluntary exclusion list and his or her heirs, administrators, executors, and assigns for any harm, monetary or otherwise, that may arise out of or by reason of any act or omission relating to the request for placement on the voluntary exclusion list or request for removal from the voluntary exclusion list including the following:

(A) The list's processing or enforcement.

(B) The failure of a riverboat licensee or operating agent to withhold:

(i) direct marketing;

(ii) check cashing; or

(iii) extension of credit;

to a voluntarily excluded individual.

(C) Disclosure of information contained in the voluntary exclusion request or list, except for willfully unlawful disclosure of such information to persons other than entities under the jurisdiction of the commission.

(D) The dissemination of confidential information contained on the exclusion list by facilities under the jurisdiction of the commission to any party not authorized to receive the information.

(4) The form must also contain the signature of the person submitting the request for voluntary exclusion indicating acknowledgement of the following statement: "I am voluntarily requesting exclusion from the gaming areas at all facilities under the jurisdiction of the Indiana Gaming Commission. I certify that the information that I have provided above is true and accurate, and that I have read and understand and agree to the waiver and release included in this request for placement on the voluntary exclusion list. I am aware that my signature below authorizes the commission to direct all Indiana riverboat licensees and operating agents to restrict my gaming activities in accordance with this request. If I have requested to be excluded for life, I am aware that I will be unable to cause my name to be removed from the voluntary exclusion list. If I have elected to be placed on the list for a period of one (1) or five (5) years, I am aware that I will remain on the list until such time as the commission removes my name from the voluntary exclusion list in response to my written request certifying that I do not suffer from a gambling problem. I am aware and agree that during any period of exclusion, I shall not collect any winnings or recover any losses resulting from any gaming activity at all gaming facilities under the jurisdiction of the commission. I understand that any money or thing of value obtained by me from, or owed to me by, a riverboat licensee or operating agent as a result of wagers made by me while on the voluntary exclusion list shall be subject to forfeiture."

(5) The form will also contain as an attachment a copy of the identification credentials or driver's license examined by ~~a commission~~ **an enforcement** agent at the time the request for voluntary exclusion is made, containing the signature of the person requesting placement on the voluntary exclusion list.

(6) The signature of ~~a commission~~ **an enforcement** agent, employee, or other person authorized by the executive director to accept the request for voluntary exclusion, indicating that the signature, physical description, and identity of the person on the request for voluntary exclusion agrees with the identification provided by that individual.

(e) The personal information of a person who participates in the voluntary exclusion program is confidential. An individual who elects to participate in the program must agree that in order to enforce the voluntary exclusion program, facilities under the jurisdiction of the commission must have access to the individual's personal information. ~~Prior to~~ **Before** placement on the voluntary exclusion list, an individual shall authorize the commission staff to provide the following necessary identifying information to the facilities under the jurisdiction of the commission on his or her behalf and for purposes of enforcement:

(1) Name, including any aliases or nicknames.

(2) Date of birth.

(3) Current residential address.

(4) Current telephone number.

(5) A physical description, including **the following**:

(A) Height.

(B) Weight.

(C) Gender.

(D) Hair color.

(E) Eye color. ~~and~~

(F) Any other physical characteristic that may assist in the identification of the person.

(6) A photograph of the individual that will be taken by ~~commission~~ **enforcement** agents at the time of voluntary exclusion.

(7) Driver's license number.

(f) A voluntarily excluded individual shall have the following ongoing obligations regarding the voluntary exclusion list:

- (1) Refrain from entering the gaming areas of riverboats and other facilities under the jurisdiction of the commission until such time as a request for removal has been processed by the commission.
- (2) Each time the personal information of a voluntarily excluded individual changes, he or she must provide the commission with the updated information.
- (3) Notify the commission if direct mailing items are received addressed to a voluntarily excluded person at his or her residence.

(g) A voluntarily excluded individual who violates the terms of the voluntary exclusion list and enters the gaming area of a facility under the jurisdiction of the commission agrees to forfeit any jackpot or thing of value won as a result of a wager made at a facility under the jurisdiction of the commission. The forfeited jackpots or items will be withheld by the riverboat licensee or operating agent and remitted to the commission. The commission shall collect such items and funds as a fine levied against the voluntarily excluded individual for violating this rule. Voluntarily excluded individuals may appeal a forfeiture under this rule by following the procedures outlined in [68 IAC 7](#).

(h) Voluntarily excluded individuals agree to forfeit all points or complimentaries earned by the individual on or before the individual completes his or her request for placement on the voluntary exclusion list. Points or complimentaries refer to credits earned by a person under the terms of a riverboat licensee's or operating agent's marketing program as approved by the commission and shall include, but ~~shall~~ not be limited to:

- (1) food coupons;
- (2) coupons or vouchers for chips or tokens;
- (3) hotel complimentaries; or
- (4) any other such noncash benefit owing to the individual.

However, if at the time an individual makes a request for placement on the voluntary exclusion list he or she is owed a cash amount from a riverboat licensee or operating agent, the individual shall have the right to receive that amount from the riverboat licensee or operating agent after placement on the voluntary exclusion list. To the extent that complimentaries or points described above may be redeemed for cash under the riverboat licensee's or operating agent's marketing program, the individual shall be entitled to receive that amount.

(i) Nothing in this rule shall prohibit a riverboat licensee or operating agent from alerting local law enforcement authorities of a voluntarily excluded person's presence in a facility under the jurisdiction of the commission to effect an arrest for trespassing.

(Indiana Gaming Commission; [68 IAC 6-3-2](#); filed Mar 22, 2004, 3:30 p.m.: 27 IR 2440; errata filed Jul 9, 2004, 2:21 p.m.: 27 IR 3580)

SECTION 29. [68 IAC 6-3-4](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 6-3-4](#) Rights and duties of riverboat licensees and operating agents

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 4. (a) Each:

- (1) riverboat licensee;
- (2) riverboat license applicant;
- (3) operating agent; and
- (4) operating agent applicant;

shall establish internal control procedures for compliance with this rule, which shall be submitted and approved by the commission under [68 IAC 11-1-3](#).

(b) The internal controls must, at a minimum, address the following:

- (1) Procedures must provide a plan for distributing the list of persons who have voluntarily excluded and their personal information to appropriate personnel of the facility for purposes of enforcing the program. The plan must allow, to a reasonable extent, appropriate employees of a riverboat licensee or operating agent to identify a voluntarily excluded person when that person is present in a casino or other facility under the

jurisdiction of the commission. Such information shall not be released to casinos in other jurisdictions. However, nothing in this rule shall prohibit a riverboat licensee or operating agent from effectuating the eviction of a voluntarily excluded person from other properties within their corporate structure so that the person will be denied gaming privileges at casinos under the same parent company in other jurisdictions.

(2) Must provide a process whereby ~~commission~~ **enforcement** agents and security and surveillance are notified immediately when a voluntarily excluded person is detected in the gaming area of a facility.

(3) Must:

(A) refuse wagers from; and

(B) deny gaming privileges to;

any individual who the casino knows to be a voluntarily excluded person.

(4) Make all reasonable attempts to ensure that voluntarily excluded persons do not receive direct marketing. A riverboat licensee or operating agent will satisfy this requirement if the riverboat licensee or operating agent removes the individual's name from the list of patrons to whom direct marketing materials are sent, and the individual does not receive direct marketing materials more than forty-five (45) days after the riverboat licensee receives notice, under section 3(a) of this rule, that the individual has appeared on the voluntary exclusion list.

(5) Ensure that voluntarily excluded persons do not receive check cashing privileges or extensions of credit, whether directly through the riverboat licensee or operating agent, or through a supplier contracting with a riverboat licensee or operating agent on property hired for the purpose of check cashing or extension of credit, or both.

(c) Nothing in this rule shall prohibit a riverboat licensee or operating agent from seeking payment of a debt from a voluntarily excluded person if the debt was accrued by a person before his or her name was placed on the voluntary exclusion list.

(d) A riverboat licensee or operating agent shall post signs at the turnstiles marking the entrance to the gaming area that will inform and educate patrons about the voluntary exclusion program. The text that will appear on the signs must be submitted to the commission staff for approval ~~prior to~~ **before** posting.

(e) A riverboat licensee or operating agent shall be subject to disciplinary action under [68 IAC 13](#) for failure to comply with the requirements of this section and the internal control procedures outlined pursuant to this section, including, but not limited to, the following:

(1) Release of confidential information for a purpose other than enforcement.

(2) Knowingly refusing to withhold direct marketing, check cashing, and credit privileges.

(3) Failure to follow internal control procedures adopted under this rule.

(Indiana Gaming Commission; [68 IAC 6-3-4](#); filed Mar 22, 2004, 3:30 p.m.: 27 IR 2442)

SECTION 30. [68 IAC 6-3-5](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 6-3-5](#) Removal from voluntary exclusion list

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 5. (a) This section does not apply to those voluntarily excluded individuals who elected lifetime exclusion under section 2(d) of this rule.

(b) A person may, upon the expiration of the selected term of voluntary exclusion, request removal of his or her name from the voluntary exclusion list. A person making a request for removal must do so by:

(1) presenting to a commission office or other location designated by the executive director; and

(2) declaring, in writing, on a form provided by the commission, the intent to remove his or her name from the voluntary exclusion list.

(c) A request for removal from the voluntary exclusion list shall contain the following information:

(1) Name, including aliases or nicknames.

(2) Date of birth.

(3) Address of current residence.

- (4) Telephone number of current residence.
- (5) The signature of the person requesting removal from the voluntary exclusion list indicating acknowledgement of the following statement: "I certify that the information that I have provided above is true and accurate. I am aware that my signature below constitutes a revocation of my previous request for placement on the voluntary exclusion list, and I authorize the commission to permit all Indiana riverboat licensees or other facilities under the jurisdiction of the commission to reinstate my gaming privileges."
- (6) The signature of the ~~commission~~ **enforcement** agent or other individual authorized by the executive director to accept a request for removal, verifying that the individual requesting removal is the voluntarily excluded individual.

(d) Upon receipt of a request for removal, the commission shall effectuate the removal of the name of the individual requesting removal from the voluntary exclusion list. The commission shall act upon a request for removal within thirty (30) days of receipt of ~~such~~ **the** request.

(e) The commission shall notify each riverboat licensee or operating agent each time an individual is removed from the voluntary exclusion list. Once an individual's name has been removed from the voluntary exclusion list, nothing in this rule shall prohibit a riverboat licensee or operating agent from:

- (1) marketing directly to that individual;
- (2) cashing checks of such a person; or
- (3) extending credit to the individual.

(Indiana Gaming Commission; [68 IAC 6-3-5](#); filed Mar 22, 2004, 3:30 p.m.: 27 IR 2443)

SECTION 31. [68 IAC 8-1-1](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 8-1-1](#) Definitions

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#)

Affected: [IC 4-33-2-17](#); [IC 4-33-4-13](#); [IC 4-33-5](#); [IC 4-33-6](#); [IC 4-33-9](#)

Sec. 1. The following definitions apply throughout this rule:

- ~~(1)~~ "Commission agent" means one ~~(1)~~ of the members of the Indiana state police department who is assigned to work with the commission's gaming enforcement section who is on duty and on board the riverboat.
- ~~(2)~~ (1) "Dockside gambling" means the conduct of gambling on a vessel that:
 - (A) is permanently moored at a dock site;
 - (B) is not self-propelled; or
 - (C) allows unlimited passenger ingress and egress.
- ~~(3)~~ (2) "Full excursion" means a gambling excursion during which the vessel cruises into open water on Lake Michigan or cruises on the Ohio River. A full excursion on Lake Michigan shall not exceed a distance of three (3) statute miles from the vessel's dock site during the warm water months of July through September pursuant to United States Coast Guard Navigation and Vessel Inspection Circular 7-91. A full excursion on Lake Michigan shall not exceed a distance of one (1) statute mile from the vessel's dock site during the cold water months of October through June pursuant to United States Coast Guard Navigation and Vessel Inspection Circular 7-91.
- ~~(4)~~ (3) "Intermediate excursion" means a gambling excursion during which the vessel cruises in protected navigable water on or accessible to Lake Michigan.
- ~~(5)~~ (4) "Master" means the officer:
 - (A) having command of a vessel; and
 - (B) who holds the appropriate United States Coast Guard license under 46 CFR 10.401 through 46 CFR 10.482, 1994 edition.
- ~~(6)~~ (5) "Navigable water" means water that the commission determines to be navigable under [IC 4-33-4-13](#).
- ~~(7)~~ (6) "Open water" means water on or accessible to Lake Michigan that is not within a protected harbor.
- ~~(8)~~ (7) "Partially protected waters" has the meaning set forth in 46 CFR 169.107(n).
- ~~(9)~~ (8) "Vessel" means a riverboat as defined in [IC 4-33-2-17](#).

(Indiana Gaming Commission; [68 IAC 8-1-1](#); filed Jul 18, 1996, 9:05 a.m.: 19 IR 3290; readopted filed Oct 15, 2001, 4:34 p.m.: 25 IR 898)

SECTION 32. [68 IAC 8-1-5](#) IS AMENDED TO READ AS FOLLOWS:

68 IAC 8-1-5 Conduct of gambling while riverboat is docked

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#)

Affected: [IC 4-33-4](#); [IC 4-33-5](#); [IC 4-33-6](#); [IC 4-33-9-2](#)

Sec. 5. (a) If the master reasonably determines that any of the circumstances set forth in [IC 4-33-9-2](#) exist, the:

- (1) riverboat shall remain docked; or ~~the~~
- (2) master shall terminate the full or intermediate excursion.

The riverboat may remain docked until the master determines that the conditions set forth in [IC 4-33-9-2](#)(b) have sufficiently diminished or been corrected for the riverboat to safely proceed or the duration of the authorized excursion has expired. The riverboat licensee may permit the conduct of gaming during the time the riverboat is docked and the conditions set forth in [IC 4-33-9-2](#)(b) exist.

(b) The riverboat licensee shall immediately initiate the repairs necessary to correct the mechanical or structural difficulty that prevents a full or intermediate excursion.

(c) If the master determines that conditions set forth in [IC 4-33-9-2](#) preclude an intermediate or full excursion, the riverboat licensee shall file a written report detailing the basis for such action with the ~~commission~~ **enforcement** agent immediately.

(d) The riverboat licensee shall **do the following:**

- (1) Comply with the reporting requirements for marine casualties established in 46 CFR 4.05. ~~The riverboat licensee shall~~
- (2) Provide a copy of any reports made to the United States Coast Guard to the executive director simultaneously.

(Indiana Gaming Commission; [68 IAC 8-1-5](#); filed Jul 18, 1996, 9:05 a.m.: 19 IR 3292; readopted filed Oct 15, 2001, 4:34 p.m.: 25 IR 898)

SECTION 33. [68 IAC 8-1-8](#) IS AMENDED TO READ AS FOLLOWS:

68 IAC 8-1-8 Emergency procedures

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-9-2](#)

Affected: [IC 4-33-4](#); [IC 4-33-5](#); [IC 4-33-6](#); [IC 4-33-9](#)

Sec. 8. (a) In the event of an emergency:

- (1) the master may amend a standard excursion route; **and**

~~(b) In the event of an emergency;~~ (2) the riverboat licensee or the master, or both, may amend a standard excursion schedule.

~~(c)~~ (b) The riverboat licensee shall **do the following:**

- (1) Immediately report an emergency amendment to the standard excursion route or schedule to the ~~commission~~ **enforcement** agent.

~~(d) The riverboat licensee shall~~ (2) Submit an emergency schedule or route log, on forms prescribed by the commission, when a standard excursion route or schedule is altered in accordance with this section. The emergency schedule or route log shall:

- (A) detail the circumstances necessitating the emergency excursion route or schedule; and ~~shall~~
- (B) be submitted to the executive director within five (5) business days of the emergency excursion route or schedule.

~~(e)~~ (c) As soon as the circumstances necessitating the emergency route or schedule abate, the master or the riverboat licensee, or both, shall resume compliance with the standard excursion route or schedule.

(Indiana Gaming Commission; [68 IAC 8-1-8](#); filed Jul 18, 1996, 9:05 a.m.: 19 IR 3293; readopted filed Oct 15,

SECTION 34. [68 IAC 9-4-1](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 9-4-1](#) Definitions

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33-3-2](#)

Sec. 1. The following definitions apply throughout this rule:

(1) "Agent" refers to any person who is:

(A) employed by any agency of the state, other than the commission; and ~~who is~~

(B) assigned to perform full-time services on behalf of, or for the benefit of, the commission, pursuant to a request of the commission, regardless of the title or position held by that person.

~~(2) "Commission agent" means a person employed by the state police department who is assigned to work with the commission's gaming enforcement section.~~

~~(3)~~ (2) "Employee" means an individual employed by the commission.

~~(4)~~ (3) "Member" means a commission member appointed to the commission under [IC 4-33-3-2](#).

(Indiana Gaming Commission; [68 IAC 9-4-1](#); filed Jun 23, 1995, 2:30 p.m.: 18 IR 2672; readopted filed Oct 15, 2001, 4:34 p.m.: 25 IR 898)

SECTION 35. [68 IAC 9-4-4](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 9-4-4](#) Notice requirements for presence on a riverboat

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 4. A member, employee, or agent shall advise the ranking ~~commission~~ **enforcement** agent aboard the riverboat that the member, employee, or agent plans to be present on a riverboat licensed by the commission outside the scope of his or her official duties at the time the member, employee, or agent arrives at the riverboat.

(Indiana Gaming Commission; [68 IAC 9-4-4](#); filed Jun 23, 1995, 2:30 p.m.: 18 IR 2672; readopted filed Oct 15, 2001, 4:34 p.m.: 25 IR 898)

SECTION 36. [68 IAC 10-1-6.2](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 10-1-6.2](#) Integrity of live gaming device

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#)

Affected: [IC 4-33-8](#)

Sec. 6.2. (a) If the integrity of any live gaming device has been legitimately questioned, the riverboat licensee shall run the appropriate diagnostic tests on the device. If the riverboat licensee determines that the device is malfunctioning, the riverboat licensee shall remove the device from play until:

(1) the device has been repaired; and

(2) it has been determined that the device meets the requirements of the Act and this title.

(b) The riverboat licensee shall record the following information with respect to a live gaming device that has been removed from play:

(1) The date and time that the integrity of the live gaming device was questioned.

(2) The type of device that was questioned.

(3) The:

(A) serial number, if any, issued by the manufacturer; and ~~the~~

(B) registration number issued by the commission.

(4) The length of time that the device was removed from play.

- (5) The reason that the device was not functioning properly.
- (6) The remedial action taken to ensure that the device conforms to the requirements of the Act and this title.
- (7) The printed name, signature, and occupational license number of all employees taking the remedial action.
- (8) If an outside company takes remedial action on the device, the following information must be maintained:
 - (A) The:
 - ~~(i) name; of the company.~~
 - ~~(B) The (ii) address; of the company. and~~
 - ~~(C) The (iii) telephone number;~~
 - of the company.
 - ~~(D) (B)~~ The names of any individuals who performed remedial action on the device.
- (9) A verification that the device meets the requirements of the Act and this title after the remedial action was taken.
- (10) The:
 - (A) name, address, and telephone number of the individual who complained about the device; and the
 - (B) nature of the complaint.

The riverboat licensee must notify the ~~commission~~ **enforcement** agent, in writing, of each electronic gaming device that has been removed from play.

- (c) The records described in subsection (b) shall be:
 - (1) maintained by the riverboat licensee for a period of one (1) year; and ~~shall be~~
 - (2) available for commission review upon request.

(Indiana Gaming Commission; [68 IAC 10-1-6.2](#); filed Jun 1, 1998, 3:38 p.m.: 21 IR 3711; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 37. [68 IAC 11-1-4](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 11-1-4](#) Amendments to internal control procedures

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 4. Amendments to the internal control procedures shall be handled in the following manner:

- (1) Unless otherwise provided by the executive director, amendments to any portion of the internal control procedures must be submitted to the executive director at least thirty (30) days ~~prior to~~ **before** the utilization of the amended internal control procedure.
- (2) The executive director shall, in writing, approve the amendment to the internal control procedure, in total or in part.
- (3) No amendment to internal control procedures may be utilized by a riverboat licensee unless the amendment to the internal control procedure has been approved, in writing, by the executive director.
- (4) The riverboat licensee shall advise the executive director of any change in a scheduled event at least twenty-four (24) hours before the change is instituted. If the time of the scheduled event has to be altered due to an emergency, the riverboat licensee shall:
 - (A) notify the ~~commission~~ **enforcement** agent, in writing, immediately; and
 - (B) provide a written explanation for the change to the executive director within twenty-four (24) hours.

(Indiana Gaming Commission; [68 IAC 11-1-4](#); filed Apr 19, 1996, 3:00 p.m.: 19 IR 2262; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 38. [68 IAC 11-1-5](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 11-1-5](#) Emergency procedures

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 5. (a) In the event of an emergency, the riverboat licensee may amend an internal control procedure. The ~~commission~~ **enforcement** agent must concur that an emergency exists prior to the amendment of an internal

(b) The riverboat licensee shall **do the following:**

(1) Report any emergency amendment to the internal control procedures to the ~~commission~~ **enforcement** agent immediately.

~~(c) The riverboat licensee shall~~ **(2)** Submit a description of the amendment to the internal control procedures and the circumstances necessitating the amendment to the executive director within ten (10) business days of the amendment.

~~(d)~~ **(c)** As soon as the circumstances necessitating the emergency amendment to the internal control procedures abate, the riverboat licensee shall resume compliance with the approved internal control procedures.

(Indiana Gaming Commission; [68 IAC 11-1-5](#); filed Apr 19, 1996, 3:00 p.m.: 19 IR 2263; errata filed Jun 20, 1996, 1:15 p.m.: 19 IR 3114; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 39. [68 IAC 11-2-2](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 11-2-2](#) Submission of internal control procedure

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 2. (a) The riverboat licensee shall submit a list of employees authorized to participate in the drop bucket collection process and the hard count to the ~~commission~~ **enforcement** agent. These employees must hold an occupational license, Level 2 or higher. Amendments to the list of employees authorized to participate in the drop bucket collection process and the hard count must be submitted to the ~~commission~~ **enforcement** agent as the amendments occur. The employee's name must be submitted to the ~~commission~~ **enforcement** agent before the employee participates in the drop bucket collection or the hard count.

(b) In accordance with [68 IAC 11-1](#), the riverboat licensee or riverboat license applicant shall submit internal control procedures covering the drop bucket collection and the hard count process to the executive director.

(c) The internal control procedures for the drop bucket collection process and the hard count process shall include, but ~~is~~ **are** not limited to, the following areas:

(1) The times that the drop bucket collection will occur.

(2) The manner in which the:

(A) drop bucket collection process will proceed, including the location from which the drop bucket collection process will commence; **and**

~~(3) The manner in which the~~ **(B)** drop buckets will be identifiable to an electronic gaming device.

~~(4)~~ **(3)** The procedure for collecting tokens from an electronic gaming device utilizing trays instead of drop buckets.

~~(5)~~ **(4)** Whether counts will be performed manually or by means of a weigh scale or an equivalent device. If a weigh scale or the equivalent is utilized, the manufacturer, type, model number, and serial number shall be listed. Weigh scales or the equivalent shall be approved as associated equipment in accordance with [68 IAC 2-7](#).

~~(6)~~ **(5)** The department that will maintain and control the keys that are necessary to complete the drop bucket collection and hard count process.

~~(7)~~ **(6)** Alternative procedures that will be utilized in the case of a malfunction or an emergency.

~~(8)~~ **(7)** Describe the security measures to be taken when a drop bucket storage cart holding drop buckets with tokens must be stored outside of the hard count room.

~~(9)~~ **(8)** The names and titles of the individuals who will perform the duties of the internal auditor.

~~(10)~~ **(9)** The type of backup measures that will be utilized in case the primary system of conducting the drop bucket collection process **or** hard count, or both, malfunctions.

~~(11)~~ **(10)** The measures the riverboat licensee will take to ensure compliance with this article.

~~(12)~~ **(11)** Any other information the commission deems necessary to ensure compliance with the Act and this title.

(Indiana Gaming Commission; [68 IAC 11-2-2](#); filed Apr 19, 1996, 3:00 p.m.: 19 IR 2264; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 40. [68 IAC 11-2-3](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 11-2-3](#) Hard count room characteristics; security

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 3. (a) The hard count room shall be:

- (1) located in a nonpublic area of the riverboat; and
 - (2) designated for:
 - (A) weighing;
 - (B) counting;
 - (C) recording; and
 - (D) wrapping;
- the contents of the drop buckets.

(b) The hard count room shall have the following items, components, or characteristics:

- (1) There shall be ~~no~~ **not** more than two (2) metal doors to the hard count room. One (1) door shall be designed to accommodate the drop bucket storage cart. The doors must be lockable from outside the hard count room. Individuals inside the hard count room shall be able to open the hard count door from the inside in order to exit the hard count room in case of an emergency.
- (2) There shall be no windows in the hard count room that can be opened to access the outside of the riverboat.
- (3) A weigh scale or the equivalent and at least two (2) predetermined standard weights to verify the accuracy of the weigh scale. The riverboat licensee shall test the weights for accuracy at least one (1) time per month.
- (4) There shall be a telephone in the hard count room that is used only in the case of an emergency to contact:
 - (A) surveillance;
 - (B) security;
 - (C) the ~~commission~~ **enforcement** agent; or
 - (D) any other necessary party.
- (5) There may be a segregated area of the hard count room known as the unaudited token storage area accessible by a key different than the key that opens the doors to the hard count room for the storage of unaudited tokens. The unaudited token storage area key shall be maintained by the main bank in accordance with [68 IAC 11-7](#). Riverboat licensees shall not store token inventory in the unaudited token storage area.
- (6) There shall be a segregated area to store tokens that have been counted but not distributed.

(c) The riverboat licensee shall take the following security measures with respect to the hard count room:

- (1) No individual shall carry a pocketbook or other nontransparent container into the hard count room other than containers utilized in the hard count process.
- (2) Access to the hard count room shall be restricted to the following individuals:
 - (A) Members of the hard count team.
 - (B) Members of the drop bucket collection team.
 - (C) Maintenance personnel and supervisors who are accompanied by security personnel for problem resolution.
 - (D) The internal auditor or equivalent, accompanied by security personnel, in the performance of official duties.
 - (E) Main bank employees in conjunction with official duties of reconciling the hard count.
 - (F) Security personnel in conjunction with official duties.
 - (G) ~~Commission~~ **Enforcement** agents in the performance of official duties.
 - (H) Individuals specifically authorized by the commission or ~~commission~~ **enforcement** agents.
- (3) All of the count procedures conducted in the hard count room must be conducted in full view of the surveillance cameras.
- (4) There shall be a hand-held metal detector known as a wand immediately outside the hard count room. Security shall run the wand:
 - (A) about each individual who exits the hard count room; ~~Security shall run the wand and~~
 - (B) near trash removed from the hard count room.
- (5) Security personnel shall test the wand at least one (1) time every week to determine that it is operating properly. Security shall test the wand at any time that it appears the wand is malfunctioning. Security shall

maintain a record that includes the following information and is available to the commission and ~~commission~~ **enforcement** agents upon request:

- (A) The date on which the wand is tested.
- (B) The individual that conducts the test.
- (C) The results of the test.

(6) Except for ~~commission~~ **enforcement** agents, no individual shall be permitted to enter or leave the hard count room until the hard count, recording, and verification process are complete except during a normal work break or in an emergency.

(7) All vents and duct grating connected to the hard count room shall be secured to ensure that they cannot be removed.

(8) The hard count room shall be equipped with equipment that allows the surveillance department to do the following in accordance with [68 IAC 12-1](#):

(A) Monitor and record the entire:

~~(i) count process; both audibly and visually; and~~

~~(B) Monitor and record the entire (ii) hard count room; both audibly and visually.~~

~~(C) (B) Monitor and visually record:~~

~~(i) all individuals who enter and exit the hard count room; and~~

~~(D) Monitor and visually record (ii) the values that are reflected on the weigh scale after each drop bucket has been weighed.~~

~~(E) (C) Monitor and record, both audibly and visually, any other activity or area of the hard count room deemed necessary by the commission to ensure compliance with the Act and this title.~~

(9) There shall be a sign in the hard count room stating that the activity of any individuals in the hard count room will be monitored and recorded in accordance with this rule and [68 IAC 12-1](#).

(10) Keys to the hard count room shall be maintained by the security department in accordance with [68 IAC 11-7](#). Access to the hard count room shall be gained only by or through a security officer.

(11) The hard count room shall be designed and built to provide maximum security for the:

~~(A) tokens contained; in the hard count room and the~~

~~(B) activities that are conducted;~~

in the hard count room.

(12) Any coin, currency, chips, or tokens found in the hard count room shall:

~~(A) become the property of the riverboat licensee; and shall~~

~~(B) be included in the hard count.~~

(Indiana Gaming Commission; [68 IAC 11-2-3](#); filed Apr 19, 1996, 3:00 p.m.: 19 IR 2264; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 41. [68 IAC 11-2-4](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 11-2-4](#) Hard count room log

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 4. (a) The riverboat licensee's security department shall maintain a hard count room log that will record ingress to and egress from the hard count room at all times.

(b) Every individual who enters and exits the hard count room shall complete the hard count room log.

(c) The hard count room log shall be maintained in the hard count room and shall contain the following information for each entry into and exit from the hard count room:

(1) The name, title, and signature of the individual entering the hard count room.

(2) The:

~~(A) date; of ingress to and egress from the hard count room.~~

~~(3) The (B) time;~~

of ingress to and egress from the hard count room.

~~(4) (3) The reason for entry to the hard count room.~~

(d) The security department shall make the hard count log available to the commission or ~~commission~~ **enforcement** agents for inspection upon request.

(Indiana Gaming Commission; [68 IAC 11-2-4](#); filed Apr 19, 1996, 3:00 p.m.: 19 IR 2266; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 42. [68 IAC 11-3-2](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 11-3-2](#) Submission of internal control procedure

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 2. (a) The riverboat licensee shall submit a list of employees authorized to participate in the currency collection process and the soft count to the ~~commission~~ **enforcement** agent. These employees must hold an occupational license, Level 2 or higher. Amendments to the list of employees authorized to participate in the currency collection process and the soft count must be submitted to the ~~commission~~ **enforcement** agent as the amendments occur. The employee's name must be submitted to the ~~commission~~ **enforcement** agent before the employee participates in the currency collection or the soft count.

(b) In accordance with [68 IAC 11-1](#), the riverboat licensee or riverboat license applicant shall submit internal control procedures covering the currency collection and the soft count process to the executive director.

(c) The internal control procedures for the currency collection process and the soft count process shall include the following areas:

(1) The times that currency collection will occur.

(2) The manner in which the:

(A) currency collection process will proceed, including the location from which the currency collection process will commence;

~~(3) The manner in which the~~ (B) live gaming device drop box will be identifiable to the live gaming device from which it was removed; **and**

~~(4) The manner in which the~~ (C) bill validator drop box will be identifiable to the electronic gaming device from which it was removed.

~~(5)~~ (3) Whether counts will be performed manually or by means of a currency counter. If a currency counter is utilized, the:

(A) manufacturer;

(B) type;

(C) model number; and

(D) serial number;

shall be listed. Currency counters shall be approved as associated equipment in accordance with [68 IAC 2-7](#).

~~(6)~~ (4) The department that will maintain and control the keys that are necessary to complete the currency collection and soft count process.

~~(7)~~ (5) The names and titles of the occupational licensees that are authorized to transfer currency, coins, and tokens from the soft count room to the main bank.

~~(8)~~ (6) Where currency and coins will be stored before being deposited into an external bank. The security measure that will be taken with respect to the storage of the currency and coins.

~~(9)~~ (7) Alternative procedures that will be utilized in the case of a malfunction or an emergency.

~~(10)~~ (8) Describe the security measure to be taken when a drop box storage cart holding live gaming device drop boxes or bill validator drop boxes containing:

(A) currency;

(B) chips;

(C) tokens; or

(D) records;

must be stored outside of the soft count room.

~~(11)~~ (9) Adjustments that the recorder may make to the Drop Box Verification Report.

~~(12)~~ (10) The names and titles of the individuals who will perform the duties of the internal auditor.

~~(13)~~ (11) The measures the riverboat licensee will take to ensure compliance with this article.

~~(14)~~ (12) Any other information the commission deems necessary to ensure compliance with the Act and this

title.

(Indiana Gaming Commission; [68 IAC 11-3-2](#); filed Jul 18, 1996, 8:45 a.m.: 19 IR 3322; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 43. [68 IAC 11-3-3](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 11-3-3](#) Soft count room characteristics; security

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 3. (a) The soft count room shall be:

- (1) located in a nonpublic area of the riverboat; and
- (2) designated for counting and recording the contents of the live gaming device drop boxes and bill validator drop boxes.

(b) The soft count room shall have the following items, components, or characteristics:

- (1) There shall be one (1) door to the soft count room. The door must:

- (A) accommodate the drop box storage cart; and
- (B) be lockable from outside the soft count room.

Individuals inside the soft count room shall be able to open the soft count door from the inside in order to exit the soft count room in case of an emergency.

- (2) There may be a currency counter or the equivalent.

- (3) There shall be:

- (A) no windows in the soft count room that can be opened to access the outside of the riverboat;
- ~~(4) There shall be~~ (B) a telephone located in the soft count room that is used only in the case of an emergency or normal work functions to contact:

~~(A)~~ (i) surveillance;

~~(B)~~ (ii) security;

~~(C)~~ (iii) the ~~commission~~ enforcement agent; or

~~(D)~~ (iv) any other necessary party; and

- ~~(5) There shall be~~ (C) a count table constructed of clear glass-like material that is used for the emptying, counting, and recording of the contents of the drop boxes and bill validators.

(c) The riverboat licensee shall take the following security measures with respect to the soft count room:

- (1) No individual shall carry a pocketbook or other nontransparent container into the soft count room other than containers utilized in the soft count process.

- (2) Access to the soft count room shall be restricted to the following individuals:

(A) Members of the soft count team.

(B) Members of the currency collection team.

(C) Maintenance personnel and supervisors who are accompanied by security personnel for problem resolution.

(D) The internal auditor or equivalent, accompanied by security personnel, to verify the accuracy of the count machine.

(E) Security personnel in conjunction with official duties.

(F) Main bank employees in conjunction with official duties reconciling the soft count.

(G) ~~Commission~~ Enforcement agents in the performance of official duties.

(H) Individuals specifically authorized by the commission or ~~commission~~ enforcement agents.

- (3) All of the count procedures conducted in the soft count room must be conducted in full view of the surveillance cameras.

- (4) Once the soft count team has entered the soft count room containing the drop boxes or bill changer boxes, or both, the door to the soft count room shall be locked by a security department employee.

- (5) All vents and duct grating connected to the soft count room shall be secured to ensure that they cannot be removed.

- (6) After the soft count team has entered the soft count room and the door has been locked, no one except:

(A) commission personnel;

(B) individuals specifically authorized by the commission;

(C) main bank employees; and

- (D) currency collection team members who are dropping off drop boxes; are allowed access to the soft count room.
- (7) No individual in the soft count room may remove his or her hands from or return them to a position on or above the count table unless the individual holds the backs and palms of his or her hands straight out and exposed to the view of the other individuals present in the soft count room and the surveillance camera.
- (8) All trash accumulated in the soft count room shall be inspected ~~prior to~~ **before** the trash being removed from the soft count room.
- (9) The soft count room shall be equipped with equipment that allows the surveillance department to do the following in accordance with [68 IAC 12-1](#):
- (A) Monitor and record the entire:
- (i) count process; ~~both audibly and visually~~; **and**
- ~~(B) Monitor and record the entire~~ (ii) soft count room; both audibly and visually.
- ~~(C) (B) Monitor and visually record:~~
- (i) all individuals who enter and exit the soft count room; **and**
- ~~(D) Monitor and visually record~~ (ii) the values that are reflected on any count machine utilized to conduct the soft count.
- ~~(E) (C) Monitor and record, both audibly and visually, any other activity or area of the soft count room deemed necessary by the commission to ensure compliance with the Act and this title.~~
- (10) There shall be a sign in the soft count room stating that the activity of any individuals in the soft count room will be monitored and recorded in accordance with this rule and [68 IAC 12-1](#).
- (11) Keys to the soft count room shall be maintained by the security department in accordance with [68 IAC 11-7](#). Access to the soft count room shall be gained only by or through a security officer.
- (12) The soft count room shall be designed and built to provide maximum security for the:
- (A) funds contained; ~~in the soft count room and the~~
- (B) activities that are conducted; in the soft count room.
- (13) Any currency, coins, chips, or tokens found in the soft count room shall:
- (A) become the property of the riverboat licensee; and ~~shall~~
- (B) be included in the soft count.

(Indiana Gaming Commission; [68 IAC 11-3-3](#); filed Jul 18, 1996, 8:45 a.m.: 19 IR 3323; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 44. [68 IAC 11-3-4](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 11-3-4](#) Soft count room log

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 4. (a) The riverboat licensee's security department shall maintain a soft count room log that will record ingress to and egress from the soft count room at all times.

(b) Every individual who enters and exits the soft count room shall complete the soft count log.

(c) The soft count room log shall be maintained in the soft count room and shall contain the following information for each entry into and exit from the soft count room:

(1) The name, title, and signature of the individual entering the soft count room.

(2) The:

(A) date; ~~of ingress to and egress from the soft count room.~~

~~(3) The~~ (B) time;

of ingress to and egress from the soft count room.

~~(4) (3)~~ The reason for entry to the soft count room.

(d) The security department shall make the soft count room log available to the ~~commission~~ **enforcement** agents for inspection upon request.

(e) The soft count log shall be retained by the riverboat licensee for a period of one (1) year.

(Indiana Gaming Commission; [68 IAC 11-3-4](#); filed Jul 18, 1996, 8:45 a.m.: 19 IR 3324; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 45. [68 IAC 11-4-1](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 11-4-1](#) General provisions

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 1. (a) This rule applies to all riverboat licensees.

(b) The following definitions apply throughout this rule:

(1) "Closer" means the original copy of the inventory slip that:

(A) is deposited into the drop box; and

(B) contains the closing dollar amount of the live gaming device.

~~(2) "Commission agent" means one (1) of the members of the Indiana state police department who is assigned to work with the commission and who is on duty.~~

~~(3)~~ (2) "Inventory slip" means a two-part form containing the count of the chips or tokens remaining at the live gaming device when a live gaming device is closed.

~~(4)~~ (3) "Opener" means the duplicate copy of the inventory slip that:

(A) remains at the table; and

(B) contains the opening dollar amount of the live gaming device.

(Indiana Gaming Commission; [68 IAC 11-4-1](#); filed Sep 10, 1997, 3:00 p.m.: 21 IR 22; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 46. [68 IAC 11-4-3](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 11-4-3](#) Opening of live gaming device

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 3. (a) Immediately ~~prior to~~ **before** opening a live gaming device, a security officer shall **do the following:**

(1) Obtain the key to the locked live gaming device tray lid from the main bank in accordance with [68 IAC 11-](#)

~~7~~. ~~The security officer shall~~

(2) Turn the key over to the pit boss or the equivalent who is designated to access the live gaming device tray.

(b) In the presence of the appropriate level of occupational licensee assigned to the live gaming device, the pit boss or the equivalent shall unlock the transparent live gaming device tray lid.

(c) The occupational licensee assigned to the live gaming device shall **do the following:**

(1) Count the chips and tokens by denomination in the presence of a pit boss or the equivalent. ~~and~~

(2) Verify the count to the opening dollar amount of the opener removed from the live gaming device tray.

(d) The occupational licensee and the pit boss or the equivalent that observed the count of the contents of the tray shall sign the opener attesting to the accuracy of the information recorded on the opener.

(e) Once the opener is signed, the occupational licensee shall immediately deposit the opener into the drop box attached to the live gaming device.

(f) The riverboat licensee shall implement procedures to be followed when the counted inventory differs from the amount recorded on the opener. These procedures shall be completed ~~prior to~~ **before** the opening of the live

gaming device. These procedures shall include, at a minimum, the following:

- (1) The preparation of an error form by the table games manager.
- (2) The signatures required on the error form.
- (3) The distribution of each part of the form.
- (4) Ensuring that at least one (1) part is deposited in the drop box.

(g) The riverboat licensee shall **do the following:**

- (1)** Notify the ~~commission~~ **enforcement** agent, in writing, immediately, upon the discovery of a live gaming device inventory or live gaming device tray that has been compromised. ~~and~~
- (2)** Provide a written explanation, including all conclusions to the ~~commission~~ **enforcement** agent and the executive director within twenty-four (24) hours.

(Indiana Gaming Commission; [68 IAC 11-4-3](#); filed Sep 10, 1997, 3:00 p.m.: 21 IR 23; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 47. [68 IAC 11-5-1](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 11-5-1](#) General provisions

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 1. (a) This rule applies to all riverboat licensees.

(b) Riverboat licensees shall submit the procedures that the riverboat licensee shall implement to ensure that all tokens and chips are accurately and regularly counted to prevent the loss of assets.

(c) All racked tokens and primary chip inventories must be rotated and counted, at a minimum, on a daily basis. Secondary sets of chips and tokens shall be rotated and counted in accordance with [68 IAC 15-4-3](#).

(d) The riverboat licensee shall submit a list of the titles of employees authorized to participate in the chip and token rotation and count. These employees must hold an occupational license, Level 2 or higher. Amendments to the list of employees authorized to participate in the chip and token rotation and count must be submitted to the ~~commission~~ **enforcement** agent as the amendment occurs. The employee title must be submitted to the ~~commission~~ **enforcement** agent before an employee with the title participates in the chip and token rotation and count.

(e) The riverboat licensee shall maintain the following information concerning chip and token rotations on a form approved by the commission:

(1) The date and time that the chip or token rotation was performed.

(2) The:

~~(A) printed name; of the occupational licensee who performed the chip or token rotation.~~

~~(3) The (B) signature; of the occupational licensee who performed the chip or token rotation. and~~

~~(4) The (C) occupational license number;~~

of the occupational licensee who performed the chip or token rotation.

~~(5) (3) Any discrepancies that were discovered as a result of the chip or token inventory.~~

~~(6) (4) The:~~

~~(A) steps that were taken to investigate any discrepancies; discovered as a result of the chip or token inventory. and~~

~~(7) The (B) results of the investigation that was conducted concerning any discrepancies; discovered as a result of the chip or token inventory.~~

(Indiana Gaming Commission; [68 IAC 11-5-1](#); filed Jan 30, 1998, 11:00 a.m.: 21 IR 2061; filed Dec 29, 1998, 10:27 a.m.: 22 IR 1420; filed Dec 2, 2001, 12:35 p.m.: 25 IR 1066; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 48. [68 IAC 11-6-1](#) IS AMENDED TO READ AS FOLLOWS:

68 IAC 11-6-1 General provisions

Authority: IC 4-33-4-1; IC 4-33-4-2; IC 4-33-4-3

Affected: IC 4-33

Sec. 1. (a) This rule applies to all riverboat licensees.

~~(b) As used in this rule, "commission agent" means one (1) of the members of the Indiana state police department who is assigned to work with the commission and who is on duty.~~

~~(c)~~ **(b)** At least one (1) time each gaming day, every jet sort or the equivalent must be tested:

(1) to verify its accuracy; ~~Each jet sort or the equivalent must be tested and~~

(2) with each denomination of token utilized by the riverboat licensee.

~~(d)~~ **(c)** If a jet sort or the equivalent does not accurately count any of the denominations of tokens, the riverboat licensee shall take the following steps:

(1) Immediately remove the jet sort or the equivalent from service.

(2) Immediately notify the ~~commission~~ **enforcement** agent.

(3) Document the results of the following in accordance with subsection ~~(f)~~: **(e)**:

(A) The results of the jet sort or the equivalent test.

(B) The name, occupational license number, and signature of the individual who performed the test.

(C) The day, time, and shift that the jet sort or the equivalent test was completed.

(D) The jet sort or the equivalent identification number.

(E) The location of the jet sort or the equivalent.

(F) The name of the ~~commission~~ **enforcement** agent notified.

(G) The corrective action taken.

~~(e)~~ **(d)** The riverboat licensee must have the jet sort or the equivalent serviced to correct the defect. Before the jet sort or the equivalent may be placed back into service, the riverboat licensee must demonstrate to a ~~commission~~ **an enforcement** agent that the jet sort or the equivalent accurately counts each denomination of token utilized by the riverboat licensee. The riverboat licensee must document the following information in accordance with subsection ~~(f)~~: **(e)**:

(1) The date, time, and shift that the jet sort or the equivalent is being placed back into service.

(2) The jet sort or the equivalent identification number.

(3) The location of the jet sort or the equivalent.

(4) The name, occupational license number, and signature of the individual who performed the test.

(5) The name and signature of the ~~commission~~ **enforcement** agent verifying the results of the test.

(6) The results of the jet sort or the equivalent test performed on the jet sort or the equivalent.

(7) The corrective action that was performed on the jet sort or the equivalent.

~~(f)~~ **(e)** The riverboat licensee shall document the results of each jet sort or the equivalent test conducted. The documentation shall include, at a minimum, the following information:

(1) The date, time, and shift of the test.

(2) The jet sort or the equivalent identification number.

(3) The location of the jet sort or the equivalent.

(4) The name, occupational license number, and signature of the individual performing the test.

(5) The results of the jet sort or the equivalent test, by denomination.

All documentation required by this rule shall be maintained by the riverboat licensee for at least a period of one (1) year.

(Indiana Gaming Commission; 68 IAC 11-6-1; filed Jan 21, 1998, 10:30 a.m.: 21 IR 2054; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 49. 68 IAC 11-7-1 IS AMENDED TO READ AS FOLLOWS:

68 IAC 11-7-1 General provisions

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 1. (a) This rule applies to riverboat licensees.

(b) ~~For the following definitions apply throughout~~ **purposes of** this rule,

~~(1) "Commission agent" means one (1) of the members of the Indiana state police department who is assigned to work with the commission and who is on duty.~~

~~(2) "sensitive keys" means keys that either management or the commission considers sensitive to the riverboat licensee's operation and therefore require strict control over custody and issuance. Sensitive keys include,~~ **The term includes**, but ~~are~~ **is** not limited to, keys that will allow access to the following:

~~(A)~~ **(1)** Currency.

~~(B)~~ **(2)** Chips.

~~(C)~~ **(3)** Tokens.

~~(D)~~ **(4)** Electronic gaming devices.

~~(E)~~ **(5)** Any item that would affect the integrity or outcome of a game.

(Indiana Gaming Commission; [68 IAC 11-7-1](#); filed Jul 18, 1996, 8:55 a.m.: 19 IR 3302; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 50. [68 IAC 11-7-2](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 11-7-2](#) Submission of internal control procedure

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 2. (a) The riverboat licensee shall submit a list of authorized occupational licensees who have access to the sensitive keys box. These employees must hold an occupational license, Level 2 or higher. Amendments to the list of employees with authorized access must be submitted to the ~~commission~~ **enforcement** agent as the amendments occur.

(b) In accordance with [68 IAC 11-1](#), the riverboat license shall submit internal control procedures covering the control of sensitive keys to the executive director.

(c) The internal control procedures for control of sensitive keys shall include, but are not limited to, the following:

(1) The location of all sensitive keys boxes.

(2) The sensitive key:

(A) name;

(B) location;

(C) custodian; and

(D) occupational licensees authorized to sign out each sensitive key.

(3) The location and custodian of duplicate sensitive keys.

(d) Each sensitive key box custodian shall be issued a sensitive key access list noting authorized occupational licensees, by title and occupational license level, who may access each sensitive key.

(e) Unless otherwise provided, whenever two (2) sensitive keys are required to access a controlled area:

(1) the keys shall be issued to different occupational licensees; and

(2) each key shall be signed out independently.

(f) A sensitive keys access list shall be maintained at each sensitive keys box and a copy given to the ~~commission~~ **enforcement** agent. The sensitive keys access list shall include the following:

(1) **The** name of **the** sensitive key.

(2) **The** location of **the** sensitive key.

- (3) **The** custodian of **the** sensitive key.
- (4) **The** quantity of sensitive keys.
- (5) **The** level of occupational licensees authorized to sign out the sensitive key, and any applicable escort requirements and any specific limitations.
- (6) **The** custodian of duplicate keys.

(g) If the executive director determines, at any time, that approved internal control procedures are not adequate to ensure compliance with the Act and this title, the executive director may direct the riverboat licensee, in writing, to amend its internal control procedure in accordance with [68 IAC 11-1-4](#).

(Indiana Gaming Commission; [68 IAC 11-7-2](#); filed Jul 18, 1996, 8:55 a.m.: 19 IR 3302; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 51. [68 IAC 11-7-4](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 11-7-4](#) Replacement of sensitive keys

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 4. (a) The riverboat licensee shall submit procedures relating to the replacement of broken, lost, or missing sensitive keys. These procedures shall include, at a minimum, the following:

- (1) Identify those critical sensitive keys that require immediate changing of the locks.
- (2) If a sensitive key is broken, include procedures as to:
 - (A) which occupational licensee shall receive and replace the broken key; and
 - (B) disposition of the broken key.

(b) When a sensitive key is determined to have been lost, missing, or taken from the premises, the riverboat licensee shall perform an immediate investigation. The investigation will be documented on an incident record. A copy of the incident report shall be given to the ~~commission~~ **enforcement** agent immediately. The record shall be kept in accordance with section 5 of this rule.

(c) Only those individuals with an occupational license, Level 1 shall be authorized to have sensitive keys duplicated.

(Indiana Gaming Commission; [68 IAC 11-7-4](#); filed Jul 18, 1996, 8:55 a.m.: 19 IR 3303; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 52. [68 IAC 12-1-2](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 12-1-2](#) Surveillance room specifications

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 2. (a) All riverboat licensees and operating agents must have a surveillance room.

(b) Surveillance rooms must be located out of the general view of patrons and nonsurveillance employees.

(c) Surveillance room access shall be limited to:

- (1) surveillance employees;
- (2) ~~gaming~~ **enforcement** agents;
- (3) commission staff; and
- (4) internal audit staff;

except that persons with a legitimate need to enter the surveillance room, either on a routine or a case-by-case basis, may do so upon receiving approval from the executive director or the executive director's designee. In the

event of an emergency, emergency response personnel may enter the surveillance room without prior approval.
(Indiana Gaming Commission; [68 IAC 12-1-2](#); filed Feb 13, 1996, 5:30 p.m.: 19 IR 1558; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261; filed Jun 2, 2006, 4:45 p.m.: 29 IR 3333)

SECTION 53. [68 IAC 12-1-7](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 12-1-7](#) Retention of surveillance recordings

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 7. (a) All recordings must be kept in accordance with this section.

(b) All recordings depicting routine activity must:

- (1) contain the date and time reading; and
- (2) be retained a minimum of seven (7) days.

(c) All recordings depicting detention or questioning of a detained individual or employee, procedural errors, regulatory violations, or criminal activity must be copied and provided to **gaming enforcement** agents upon request. Such recordings shall be retained by the riverboat licensee or operating agent for a period of time not less than sixty (60) days and stored in the following manner:

(1) Analog video and audio tapes, and copies of digital video recordings stored on tape, digital video disk, or other storage medium for later reproduction must:

(A) contain the date and time reading;

(B) be marked with **the**:

(i) ~~the~~ date and time the recording was made;

(ii) ~~the~~ identities of the employee or employees responsible for the monitoring; and

(iii) ~~the~~ identity of the employee who removed the tape from the recorder and the time and date removed; and

(C) be secured in a cabinet that is in close proximity to the surveillance room that is security-locked and accessible by surveillance employees only.

(2) Digital video recordings not stored on tape, digital video disk, or other storage medium may be preserved by storing within the digital video system.

(d) Coverage that has been retained under this rule for a period of time exceeding seven (7) days may not be destroyed without the approval of the executive director or the executive director's designee.

(Indiana Gaming Commission; [68 IAC 12-1-7](#); filed Feb 13, 1996, 5:30 p.m.: 19 IR 1561; errata filed May 30, 1996, 10:05 a.m.: 19 IR 2884; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261; filed Jun 2, 2006, 4:45 p.m.: 29 IR 3339)

SECTION 54. [68 IAC 12-1-8](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 12-1-8](#) Logs

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 8. (a) An activity log must be as follows:

- (1) Continuously maintained by surveillance employees.
- (2) Changed with each shift change of employees.
- (3) Chronological.
- (4) Contain, at a minimum, the following:
 - (A) The date and time of each entry.
 - (B) The identity of the employee making the entry.
 - (C) A summary of the activity recorded.

- (D) Detail of whether the activity was monitored.
- (E) Detail of the disposition of any copies of recordings of the activity.
- (5) Include entries for the following events and notifications received by surveillance employees about the events:
 - (A) The identity of surveillance employees on duty.
 - (B) Any maintenance or repair of any gaming device or money handling equipment.
 - (C) Live table drop box exchanges.
 - (D) Electronic gaming device drop bucket exchanges.
 - (E) Movements or transfers of the following:
 - (i) Cash.
 - (ii) Cash equivalents.
 - (iii) Chips.
 - (iv) Tokens.
 - (v) Cards.
 - (vi) Dice.
 - (F) Any detention or questioning of patrons or employees by the security department, including the identity of the following:
 - (i) Patrons or employees.
 - (ii) Security department personnel involved.
 - (G) The beginning, end, and any interruptions of the following:
 - (i) The soft count.
 - (ii) The hard count.
 - (H) Any observed:
 - (i) procedural or control errors; or
 - (ii) criminal activity.
 - (I) Any pertinent:
 - (i) telephone calls; or
 - (ii) radio transmissions.
 - (J) Any malfunctions or repair of surveillance equipment.
 - (K) Any emergency activity.
 - (L) Any surveillance conducted on anyone or any activity that appears:
 - (i) unusual, irregular, or illegal; or
 - (ii) to violate [IC 4-33](#) or this title.
 - (M) Any surveillance conducted at the request of:
 - (i) a riverboat licensee or operating agent;
 - (ii) personnel of the riverboat licensee or operating agent;
 - (iii) a commission employee; or
 - (iv) ~~a gaming~~ **an enforcement** agent.
 - (N) Any other notations deemed necessary by surveillance employees or the commission to ensure compliance with [IC 4-33](#) and this title.
- (6) Retained for at least ninety (90) days.

(b) An incident report must be as follows:

- (1) Made by the person responsible for monitoring the activity.
- (2) Contain details of any incident observed that involved unusual or criminal activity.
- (3) Provided to a gaming agent and the executive director or the executive director's designee.
- (4) Retained a minimum of ninety (90) days.

(c) A visitor's log must do the following:

- (1) Include the signature of anyone other than surveillance employees on duty who access the surveillance room.
- (2) Identify all visitors.
- (3) State the following:
 - (A) The department or agency the visitor represents.
 - (B) The reason for access to the room.
- (4) Provide the date and time of arrival and departure from the room.
- (5) Be retained a minimum of ninety (90) days.

(d) All surveillance room recordings, logs, and reports must be as follows:

- (1) Retained in a manner to allow them to be easily retrieved by the following:

- (A) Time.
- (B) Date.
- (C) The location of activity.
- (D) The type of activity.

(2) Provided to a ~~gaming~~ **an enforcement** agent or commission employee immediately upon request.

(Indiana Gaming Commission; 68 IAC 12-1-8; filed Feb 13, 1996, 5:30 p.m.: 19 IR 1561; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261; filed Jun 2, 2006, 4:45 p.m.: 29 IR 3339)

SECTION 55. [68 IAC 12-1-9](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 12-1-9](#) Maintenance and malfunctions

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 9. (a) Surveillance equipment that is out of service due to malfunction must be as follows:

(1) Immediately:

(A) reported to a ~~gaming~~ **an enforcement** agent; and

(B) repaired or:

(i) the equipment replaced with:

(AA) alternative camera coverage; or

(BB) live surveillance at the discretion of the ~~gaming~~ **enforcement** agent; or

(ii) activity in the area affected by the malfunction must be ceased and security personnel shall guard the area until coverage is restored.

(2) Repaired within twenty-four (24) hours.

(b) Routine maintenance of surveillance equipment must be completed in one (1) of the following ways:

(1) Without compromising any of the surveillance coverage provided by the surveillance system.

(2) According to a plan subject to the review and approval of the executive director or the executive director's designee.

(c) The surveillance room may be subject to periodic inspection by ~~gaming~~ **enforcement** agents to ensure the following:

(1) All equipment is working properly.

(2) No camera views are blocked or distorted by improper lighting or obstructions.

(3) All required surveillance capabilities are in place.

(Indiana Gaming Commission; 68 IAC 12-1-9; filed Feb 13, 1996, 5:30 p.m.: 19 IR 1562; errata filed May 30, 1996, 10:05 a.m.: 19 IR 2884; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261; filed Jun 2, 2006, 4:45 p.m.: 29 IR 3340)

SECTION 56. [68 IAC 12-1-10](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 12-1-10](#) Emergency procedures

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 10. (a) In all emergencies:

(1) the safety of patrons and personnel is the first priority;

(2) established emergency evacuation plans as set forth in [68 IAC 8-2](#) must be followed; and

(3) a ~~gaming~~ **an enforcement** agent must be notified.

(b) Where applicable, the following actions must be taken in all emergencies where sufficient time exists:

(1) Secure all records.

(2) Replace all tapes.

- (3) Set recorders for slow speeds, if utilizing an analog system.
- (4) Activate all tapes on dedicated cameras.
- (5) Set all other available cameras and recorders with fresh tapes.
- (6) Take any other necessary steps to ensure that the surveillance system will continue to function appropriately during the emergency.

(c) Where applicable, the following actions must be taken in suspected problem areas:

- (1) Set cameras on that area.
- (2) Activate a fresh tape.

(Indiana Gaming Commission; [68 IAC 12-1-10](#); filed Feb 13, 1996, 5:30 p.m.: 19 IR 1562; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261; filed Jun 2, 2006, 4:45 p.m.: 29 IR 3341)

SECTION 57. [68 IAC 12-1-11](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 12-1-11](#) Surveillance plan

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 11. (a) The surveillance department of a riverboat licensee, riverboat license applicant, operating agent, or operating agent applicant must submit a surveillance plan to the executive director or the executive director's designee for approval at least sixty (60) days before the commencement of riverboat gambling operations that includes the following:

- (1) A floor plan that shows the placement of all surveillance equipment.
- (2) A detailed description of the surveillance system and its equipment.

(b) Alterations to the surveillance plan, including system changes and upgrades, shall be submitted to the executive director or the executive director's designee for approval at least fourteen (14) days before the institution of the alterations.

(c) The notification of the alteration must include the following information:

- (1) Details of the change, including a copy of the applicable areas of the floor plan.
- (2) The reason for the change.
- (3) Expected results of the change.

(d) A riverboat licensee shall not commence operations or institute alterations until the:

- (1) surveillance plan or alterations are approved by the executive director or the executive director's designee; and
- (2) changes in coverage are examined and approved by a ~~gaming~~ **an enforcement** agent.

(e) The surveillance department of a riverboat licensee or operating agent shall submit a complete updated copy of the surveillance plan showing the placement of all surveillance equipment by January 31 each year.

(Indiana Gaming Commission; [68 IAC 12-1-11](#); filed Feb 13, 1996, 5:30 p.m.: 19 IR 1562; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261; filed Jun 2, 2006, 4:45 p.m.: 29 IR 3341)

SECTION 58. [68 IAC 14-3-1](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 14-3-1](#) General provisions

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 1. ~~(a)~~ This rule applies to all riverboat licensees and riverboat license applicants.

(b) As used in this rule, "commission agent" means one (1) of the members of the Indiana state police department who is assigned to work with the commission's gaming enforcement section who is on duty.

(Indiana Gaming Commission; [68 IAC 14-3-1](#); filed Apr 19, 1996, 3:00 p.m.: 19 IR 2269; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 59. [68 IAC 14-3-4](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 14-3-4](#) Removal of cards or dice

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 4. (a) The riverboat licensee shall remove any dice or playing cards at any time there is an indication of any of ~~that~~ the following: **dice or playing cards:**

- (1) ~~The dice or playing cards~~ have been tampered with;
- (2) ~~The dice or playing cards~~ are flawed; **or**
- (3) ~~The dice or playing cards~~ are defective, and the defect may affect the integrity or fairness of the game.

(b) If there is an indication that any dice or playing cards have been tampered with, the pit boss or the equivalent shall place the dice or playing cards in an envelope, seal the envelope, and give the envelope to the ~~commission~~ **enforcement** agent. The pit boss or the equivalent shall note the following on the outside of the envelope:

- (1) The date and time the dice or playing cards were removed from play.
- (2) The live gaming device from which the dice or playing cards were removed from play.
- (3) The characteristics that indicate that the dice or playing cards were tampered with.
- (4) The name of:
 - (A) all occupational licensees at the live gaming device from which the dice or playing cards were removed; and ~~the name of~~
 - (B) the pit boss or the equivalent who removed the dice or playing cards from play.

(c) Except for dice that are removed from play due to the possibility of tampering, all dice shall be canceled when removed from play. Dice may be canceled by means of the following:

- (1) Drilling a circular hole of at least one-fourth (1/4) inch in diameter through the center of each die.
- (2) Destroying the die by shredding.
- (3) Canceling the die in any other manner approved by the executive director.
- (4) The cancellation of dice must be monitored by surveillance in accordance with [68 IAC 12-1-5](#).

(d) Except for playing cards that are removed from play due to the possibility of tampering, all playing cards shall be canceled by one (1) of the following methods:

- (1) Drilling a circular hole of at least one-fourth (1/4) inch through the center of each card in the deck.
- (2) Shaving at least two (2) corners of each playing card so that each side is no longer at ninety (90) degree angles with each adjacent side.
- (3) The cards are destroyed by shredding.
- (4) Canceling the cards by any other method approved by the executive director.
- (5) The cancellation of cards must be monitored by surveillance in accordance with [68 IAC 12-1-5](#).

(Indiana Gaming Commission; [68 IAC 14-3-4](#); filed Apr 19, 1996, 3:00 p.m.: 19 IR 2270; filed Aug 20, 1997, 7:11 a.m.: 21 IR 18; errata filed Nov 17, 1997, 3:45 p.m.: 21 IR 1347; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 60. [68 IAC 14-3-5](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 14-3-5](#) Storage of cards or dice

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 5. (a) All dice or playing cards that are not being utilized at a live gaming device shall be kept in locked compartments.

(b) Dice and playing cards shall not be left at a live gaming device while unattended.

(c) Riverboat licensees or riverboat license applicants shall maintain an inventory of all dice and playing cards on forms prescribed by the commission. The inventory shall contain the following information:

(1) The date on which dice and playing cards are received.

(2) The quantity of the dice and playing cards received.

(3) The name, business address, and business telephone number of the manufacturer from which the dice or playing cards are received.

(4) The quantity of dice and playing cards that are:

(A) placed into play each day;

~~(5) The quantity of dice and playing cards that are~~ (B) removed from play due to suspected tampering and the date of the removal; **and**

~~(6) The quantity of dice and playing cards that~~ (C) removed from play and canceled each day.

(d) Riverboat licensees shall conduct a physical inventory of the dice and playing cards every three (3) months. The results of the physical inventory shall be set forth on forms prescribed by the commission. The inventory maintained in subsection (c) shall be reconciled with the results of the physical inventory. Any discrepancies in the inventory forms and the physical inventory shall be reported to the ~~commission~~ **enforcement** agent immediately.

(Indiana Gaming Commission; [68 IAC 14-3-5](#); filed Apr 19, 1996, 3:00 p.m.: 19 IR 2270; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 61. [68 IAC 14-4-1](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 14-4-1](#) General provisions

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 1. (a) This rule applies to all riverboat licensees and riverboat license applicants.

~~(b) As used in this rule, "commission agent" means one (1) of the members of the Indiana state police department who is assigned to work with the commission's gaming enforcement section who is on duty.~~

~~(c)~~ (b) The riverboat licensee shall allow patrons to game at a live gaming device with value chips or nonvalue chips, or both.

(Indiana Gaming Commission; [68 IAC 14-4-1](#); filed Apr 19, 1996, 3:00 p.m.: 19 IR 2271; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 62. [68 IAC 14-4-3](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 14-4-3](#) Primary, secondary, and reserve sets of chips

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 3. (a) Each riverboat licensee shall have the following sets of chips:

(1) A primary set of value chips.

(2) A secondary set for all denominations of value chips. The secondary set of value chips shall consist of at least fifty percent (50%) of the quantity of value chips for each denomination.

- (3) A primary set of nonvalue chips.
- (4) A reserve set for all colors of nonvalue chips.

Each set of chips shall be approved by the executive director in accordance with section 2 of this rule and shall meet the specifications set forth in sections 4 and 5 of this rule.

(b) The secondary set of value chips shall be placed into active play only when the primary set is removed from play. The reserve set of nonvalue chips shall be placed into active play only when the primary set is removed from play.

- (c) The primary set of value or nonvalue chips shall be removed from play if one (1) of the following occurs:
- (1) The riverboat licensee determines that the riverboat gambling operation is receiving a significant number of counterfeit chips.
 - (2) The riverboat licensee discovers any impropriety or defect in the utilization of the primary set of chips that necessitates the removal of the primary chips.
 - (3) The executive director or the commission deems removal of the primary chips necessary to ensure compliance with the Act and this title.

(d) If a primary set of chips is removed from active play, the riverboat licensee shall immediately notify the ~~commission~~ **enforcement** agent. The riverboat licensee shall file a written report with the executive director within two (2) business days setting forth the following information:

- (1) The date and time primary chips were removed from active play.
- (2) The reason necessitating the removal of the primary chips from active play.
- (3) Any other information deemed necessary by the executive director or the riverboat licensee to ensure compliance with the Act and this title.

(Indiana Gaming Commission; [68 IAC 14-4-3](#); filed Apr 19, 1996, 3:00 p.m.: 19 IR 2272; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 63. [68 IAC 14-4-8](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 14-4-8](#) Destruction of chips

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 8. (a) The riverboat licensee must have written authorization from the executive director or his or her designee to destroy value or nonvalue chips. The riverboat licensee or riverboat license applicant shall notify the executive director, in writing, at least ten (10) days before value or nonvalue chips are destroyed. The riverboat licensee or riverboat license applicant shall notify the executive director of the following information:

- (1) The date and time that the chips will be destroyed.
- (2) The location at which the chips will be destroyed.
- (3) The denomination, number, and amount of value chips that will be destroyed.
- (4) The description and number of nonvalue chips that will be destroyed.
- (5) A detailed explanation of the method of destruction.

(b) After destruction of the value chips, the denomination, number, and amount of value chips destroyed shall be entered in the chip inventory ledger in accordance with [68 IAC 15-4](#).

(c) After destruction of the nonvalue chips, the description and number of nonvalue chips destroyed shall be entered in the chip inventory ledger in accordance with [68 IAC 15-4](#).

(d) The riverboat licensee or riverboat license applicant shall coordinate the movement and shipment of chips to be destroyed with ~~commission~~ **enforcement** agents on a form approved by the commission.

(Indiana Gaming Commission; [68 IAC 14-4-8](#); filed Apr 19, 1996, 3:00 p.m.: 19 IR 2273; errata filed May 7, 1997, 4:00 p.m.: 20 IR 2413; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261; filed Sep 30, 2004, 11:05 a.m.: 28 IR 529)

SECTION 64. [68 IAC 14-5-6](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 14-5-6](#) Destruction of tokens

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 6. (a) The riverboat licensee must have written authorization from the executive director or his or her designee to destroy any tokens. The riverboat licensee or riverboat license applicant shall notify the executive director, in writing, at least ten (10) days before tokens are destroyed. The riverboat licensee or riverboat license applicant shall notify the executive director of the following information:

- (1) The date and time that the tokens will be destroyed.
- (2) The location at which the tokens will be destroyed.
- (3) The denomination, number, and amount of tokens that will be destroyed.
- (4) The description and number of tokens that will be destroyed.
- (5) A detailed explanation of the method of destruction.

(b) After destruction of the tokens, the denomination, number, and amount of tokens destroyed shall be entered in the token inventory ledger in accordance with [68 IAC 15-4](#).

(c) The riverboat licensee or riverboat license applicant shall coordinate the movement and shipment of tokens to be destroyed with ~~commission~~ **enforcement** agents on a form approved by the commission.

(Indiana Gaming Commission; [68 IAC 14-5-6](#); filed Apr 19, 1996, 3:00 p.m.: 19 IR 2275; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261; filed Sep 30, 2004, 11:05 a.m.: 28 IR 529)

SECTION 65. [68 IAC 14-7-4](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 14-7-4](#) Inspection of roulette table and wheel

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 4. (a) ~~Prior to~~ **Before** the initial use of the roulette wheel at a roulette table, the wheel shall be inspected and balanced by or in the presence of a ~~commission~~ **an enforcement** agent using a balancing level.

(b) ~~Prior to~~ **Before** opening a roulette table for gaming activity each gaming day, the pit boss or the equivalent shall inspect the roulette table and roulette wheel to ensure compliance with this rule.

(c) The pit boss or the equivalent shall inspect the following:

- (1) The wheel for any magnet or contrivance that would affect the integrity or fairness of the game.
- (2) The wheel with the use of a level to verify the wheel is balanced and rotating freely and evenly.
- (3) All parts to ensure that they are secure and free from movement.
- (4) The roulette ball by passing it over a magnet or compass to ensure its nonmagnetic quality.
- (5) The layout and signage to ensure compliance with ~~[68 IAC 14-3-3](#)~~ **(e) [68 IAC 14-7-3\(c\)](#)** if a double zero (00) roulette wheel is being used as a single zero (0) roulette wheel.

(d) A log documenting the daily inspection of the roulette wheel shall be maintained by the riverboat licensee. The daily inspection log shall, at a minimum, contain the following information:

- (1) The name and occupational license number of the pit boss or the equivalent completing the inspection.
- (2) The date.
- (3) The roulette wheel number.
- (4) The results of the inspection.

(e) If a riverboat licensee uses a roulette wheel that has external movable parts, any adjustments to the

movable parts shall be made by the pit boss or the equivalent, in the presence of ~~a commission~~ **an enforcement** agent. Adjustments to the movable parts of a roulette wheel that is located on the live gaming floor shall be made only:

- (1) when the riverboat licensee is not open to the public; or
- (2) if the roulette wheel is moved to a secure location outside the riverboat as approved by the executive director or the commission.

(f) All adjustments shall be completed ~~prior to~~ **before** the required inspections in subsection (a).

(g) The riverboat licensee may replace any of the movable parts at any time, provided, however, if any one (1) or more of the movable parts are external, then an inspection must be completed by the ~~commission~~ **enforcement** agent ~~prior to~~ **before** reopening the roulette wheel and table for gaming activity.

(h) A log documenting all adjustment, repairs, or replacement of parts of the roulette wheel **or** roulette balls, or both, shall be maintained, including, at a minimum, the following:

- (1) The name of the:
 - (A) pit boss or the equivalent completing the inspection; **and**
 - ~~(2) The name of the commission~~ (B) **enforcement** agent present during the inspection.
- ~~(3)~~ (2) The date.
- ~~(4)~~ (3) The roulette table number.
- ~~(5)~~ (4) Whether an adjustment or replacement was completed.
- ~~(6)~~ (5) The signature of the person making the adjustment or replacement.

(i) The log shall be available for inspection by the ~~commission~~ **enforcement** agent and the executive director or the commission upon request.

(j) The riverboat licensee shall immediately notify ~~the commission~~ **an enforcement** agent upon the discovery of a wheel that has been compromised and declare the wheel out of play.

(k) The riverboat licensee shall notify the executive director, in writing, within ten (10) days after discovery of a wheel that has been compromised.

(l) When a roulette table is not open for gaming activity, the roulette wheel shall be secured by:

- (1) placing a cover over the entire wheel; and
- (2) securely locking the cover to the roulette table.

(m) The riverboat licensee shall:

- (1) secure the magnet, compass, level, or any other approved instrument in a place not accessible by the public; and
- (2) make the location known to the ~~commission~~ **enforcement** agent and the executive director.

(Indiana Gaming Commission; 68 IAC 14-7-4; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3040; filed Jul 10, 2000, 4:48 p.m.: 23 IR 3069; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 66. [68 IAC 14-9-4](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 14-9-4](#) Inspection of Big Six table and wheel

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 4. (a) ~~Prior to~~ **Before** opening a Big Six table for gaming activity, the pit boss or the equivalent shall inspect the Big Six table and wheel to ensure compliance with this rule.

(b) The pit boss or the equivalent shall inspect the following:

- (1) The wheel for any contrivance that would affect the integrity or fairness of the game.
- (2) The wheel to verify it is balanced and rotating freely and evenly.
- (3) All parts to ensure that they are secure and free from movement.

(c) The riverboat licensee shall notify the ~~commission~~ **enforcement** agent and the executive director immediately upon the discovery of a wheel that has been compromised.

(d) When the Big Six table is not open for gaming activity, the Big Six wheel shall be secured in a manner approved by the executive director in accordance with [68 IAC 14-1](#).

(Indiana Gaming Commission; [68 IAC 14-9-4](#); filed Jul 3, 1996, 5:00 p.m.: 19 IR 3042; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 67. [68 IAC 14-16-2](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 14-16-2](#) Notice of counterfeit chips and tokens

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 2. (a) The riverboat licensee or riverboat license applicant shall notify the ~~commission~~ **enforcement** agent and the executive director immediately upon the discovery of a counterfeit chip or token.

(b) The executive director or the ~~commission~~ **enforcement** agent may take possession of the counterfeit chip or token.

(c) The executive director shall determine the disposition of any counterfeit chip or token, including, but not limited to, destruction of a counterfeit chip or token in accordance with section 3 of this rule.

(Indiana Gaming Commission; [68 IAC 14-16-2](#); filed Jul 18, 1996, 8:55 a.m.: 19 IR 3304; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 68. [68 IAC 14-16-3](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 14-16-3](#) Destruction of counterfeit chips and tokens

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 3. (a) Unless:

- (1) the executive director;
- (2) the commission; ~~a commission~~
- (3) **an enforcement** agent; or
- (4) a law enforcement officer;

instructs or a court of competent jurisdiction orders otherwise in a particular case, a riverboat licensee shall destroy or otherwise dispose of counterfeit chips and tokens discovered on the riverboat in a manner approved by the executive director in accordance with subsection (c).

(b) Unless the executive director, the commission, ~~a commission~~ **an enforcement** agent, or a law enforcement officer instructs or a court of competent jurisdiction orders otherwise in a particular case, a riverboat licensee may dispose of coins of the United States or any other nation discovered to have been incorrectly used on the riverboat or, in the case of foreign coins, by:

- (1) exchanging them for United States currency or coins and including same in their currency; or ~~by~~
- (2) disposing of them in any other lawful manner.

(c) The riverboat licensee or riverboat license applicant shall notify the executive director, in writing, at least

thirty (30) days before counterfeit chips or tokens are destroyed, ~~The riverboat licensee or riverboat license applicant shall notify the executive director~~ of the following information:

- (1) The number and denominations, actual and purported, of the coins and counterfeit chips and tokens destroyed or otherwise disposed of under this rule.
- (2) The date on which they were discovered.
- (3) The date, place, and method of destruction or other disposition, including, in the case of foreign coin exchanges, the:
 - (A) exchange rate; and ~~the~~
 - (B) identity of the bank, exchange company, or other business or person at which or with whom the coins are exchanged.
- (4) The names of the occupational licensees carrying out the destruction or other disposition on behalf of the riverboat licensee or riverboat licensee applicant.
- (5) Any other information deemed necessary by the executive director or the commission to ensure compliance with the Act and this title.

(d) Unless otherwise approved by the executive director, at least two (2) people, one (1) of whom is an agent of the commission, shall be present when the counterfeit chips or tokens are destroyed.

(e) Unless the executive director notifies the riverboat licensee or riverboat license applicant within thirty (30) days of the receipt of the letter set forth in subsection (c), the method of destruction will be deemed approved.

(f) Each riverboat licensee or riverboat licensee applicant shall maintain records required by this rule for at least five (5) years.

(Indiana Gaming Commission; [68 IAC 14-16-3](#); filed Jul 18, 1996, 8:55 a.m.: 19 IR 3304; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 69. [68 IAC 15-1-1](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 15-1-1](#) Applicability; general provisions

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 1. (a) This rule applies to all riverboat licensees and riverboat license applicants.

(b) The following definitions apply throughout this article:

~~(1) "Commission agent" means one (1) of the members of the Indiana state police department who is assigned to work with the commission and who is on duty.~~

~~(2) (1) "Internal auditor" means an individual employed by the riverboat licensee or an affiliate to perform audits of gaming and nongaming operations to ensure the following:~~

~~(A) Proper accounting department controls. and~~

~~(B) Adherence to the Act and this title.~~

~~(3) (2) "Security department" means the individuals employed by the riverboat licensee to provide security services for the riverboat gambling operation.~~

(c) Unless otherwise specified, all riverboat licensees and riverboat license applicants shall maintain all accounting records for a period of five (5) years within the state of Indiana.

(Indiana Gaming Commission; [68 IAC 15-1-1](#); filed Jul 3, 1996, 5:00 p.m.: 19 IR 3042; filed Jun 1, 1998, 2:30 p.m.: 21 IR 3707; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 70. [68 IAC 15-1-4](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 15-1-4](#) Accounting records; amendments

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Sec. 4. Amendments to the policies and procedures for accounting records shall be handled in the following manner:

- (1) Amendments to any portion of the policies and procedures for accounting records must be submitted to the executive director at least forty-five (45) days ~~prior to~~ **before** the utilization of the policies and procedures for accounting records.
- (2) The executive director shall, in writing, approve the amendment to the accounting records.
- (3) No amendment to policies and procedures for accounting records may be utilized by a riverboat license applicant or riverboat licensee unless the amendment to the policies and procedures for accounting records has been approved, in writing, by the executive director.
- (4) The riverboat licensee shall advise the executive director of any change in an event scheduled to occur in conjunction with this article at least twenty-four (24) hours before the change is instituted. If the time of the scheduled event has to be altered due to an emergency, the riverboat licensee shall notify the ~~commission~~ **enforcement** agent, in writing, immediately, and provide a written explanation for the change to the executive director within twenty-four (24) hours.

(Indiana Gaming Commission; [68 IAC 15-1-4](#); filed Jul 3, 1996, 5:00 p.m.: 19 IR 3043; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 71. [68 IAC 15-1-5](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 15-1-5](#) Emergency procedures

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 5. (a) In the event of an emergency, the riverboat licensee may amend the policies and procedures for accounting records. The ~~commission~~ **enforcement** agent must concur that an emergency exists ~~prior to~~ **before** the amendment of the policies and procedures for accounting records.

(b) The riverboat licensee shall **do the following**:

(1) Report any emergency amendment to the policies and procedures for accounting records to the ~~commission~~ **enforcement** agent immediately.

~~(c) The riverboat licensee shall~~ **(2) Submit**:

(A) a description of the amendment to the policies and procedures for accounting records; and

(B) the circumstances necessitating the amendment;

within ten (10) business days of the amendment to the executive director.

~~(d) (c)~~ As soon as the circumstances necessitating the emergency amendment to the policies and procedures for accounting records abate, the riverboat licensee shall resume compliance with the approved policies and procedures for accounting records.

(Indiana Gaming Commission; [68 IAC 15-1-5](#); filed Jul 3, 1996, 5:00 p.m.: 19 IR 3044; errata filed Oct 23, 1996, 12:00 p.m.: 20 IR 760; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 72. [68 IAC 15-2-1](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 15-2-1](#) General provisions

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 1. (a) This rule applies to riverboat licensees and occupational licensees.

(b) ~~The following definitions apply throughout~~ **As used in this rule,**

(1) "Commission agent" means one (1) of the members of the Indiana state police department who is assigned to work for the commission's gaming enforcement section and who is on duty.

(2) "security department" means the individuals employed by the riverboat licensee to provide security services for the riverboat gambling operation.

(c) The riverboat licensee shall establish procedures for **the following**:

(1) Tracking and reporting cash transactions or a series of cash transactions that occur in the same gaming day in excess of three thousand dollars (\$3,000).

~~(d) The riverboat licensee shall establish procedures for~~ (2) Reporting cash transactions made by a gaming patron during a twenty-four (24) hour period that exceed ten thousand dollars (\$10,000) on a currency transaction report. The report shall be filed with the Internal Revenue Service within fifteen (15) days of the transaction occurring, and a copy shall be filed simultaneously with the ~~commission~~ **enforcement** agent. Currency transaction reports shall be filed for any single transaction or a series of related multiple transactions with the same directional flow.

(e) ~~(d)~~ Compliance with this rule does not release the riverboat licensee from its obligation to comply with all applicable state and federal regulations.

(Indiana Gaming Commission; [68 IAC 15-2-1](#); filed Jul 18, 1996, 8:45 a.m.: 19 IR 3327; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 73. [68 IAC 15-2-2](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 15-2-2](#) Cash transactions

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 2. (a) Cash transactions involving cash in or cash out in excess of ten thousand dollars (\$10,000) must be reported by occupational licensees. The information to be reported shall include, but is not limited to, the information that is required by 31 U.S.C. 5313 and 31 CFR 103.

(b) In addition to filing copies of the cash transactions with the Internal Revenue Service and the ~~commission~~ **enforcement** agent in accordance with section 4 ~~(d)~~ **1(c)(2)** of this rule, the riverboat licensee shall simultaneously file copies of the cash transactions with the commission office in Indianapolis, Indiana. The copies of the cash transaction reports submitted to the commission and the ~~commission~~ **enforcement** agent shall be accompanied by a cover letter that identifies the riverboat licensee that is submitting the copies and the time period that is covered by the copies of the cash transactions. The riverboat licensee shall also prepare and submit to the commission and the ~~commission~~ **enforcement** agent a summary of the cash transaction reports that are being submitted that includes the following information:

(1) The date on which the cash transaction report was completed by the riverboat licensee.

(2) The name of the patron for whom the cash transaction report was completed.

(3) The amount of cash involved in the transaction that prompted the completion of the cash transaction report.

(4) An indication of whether the cash was:

(A) received; ~~by the riverboat licensee~~ or

(B) paid out;

by the riverboat licensee.

(Indiana Gaming Commission; [68 IAC 15-2-2](#); filed Jul 18, 1996, 8:45 a.m.: 19 IR 3327; filed Aug 20, 1997, 7:11 a.m.: 21 IR 18; errata filed Nov 17, 1997, 3:45 p.m.: 21 IR 1347; filed Feb 18, 1998, 9:45 a.m.: 21 IR 2315; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 74. [68 IAC 15-4-1](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 15-4-1](#) Applicability; general provisions

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 1. ~~(a)~~ This rule applies to riverboat licensees and riverboat license applicants.

~~(b) As used in this rule, "commission agent" means one (1) or more of the members of the Indiana state police department who is assigned to work for the commission's gaming enforcement section and who is on duty.~~

~~(Indiana Gaming Commission; [68 IAC 15-4-1](#); filed Jul 18, 1996, 8:45 a.m.: 19 IR 3330; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)~~

SECTION 75. [68 IAC 15-4-2](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 15-4-2](#) Purchase and receipt of chips and tokens

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 2. (a) The riverboat licensee or riverboat license applicant shall be responsible for establishing policies and procedures for the:

- (1) purchase;
- (2) receipt
- (3) inventory;
- (4) storage; and
- (5) destruction;

of chips and tokens. These policies and procedures must be submitted to and approved by the executive director in accordance with [68 IAC 15-1](#).

(b) Procedures for the purchase and receipt of chips and tokens shall include, but are not limited to, the following:

(1) Chips and tokens shall only be purchased from a licensed supplier. The riverboat licensee or riverboat license applicant shall be responsible for communicating with licensed suppliers to arrange secured shipment and receipt of chips or tokens. Shipment shall be made via an exclusive courier who shall be required to use sealed doors and implement procedures for documenting all stops along the route.

(2) The occupational licensee delegated the responsibility of ordering chips and tokens shall be at least the slot manager or cage manager level, or the equivalent.

(3) The commission shall be notified in writing ~~prior to~~ **before** the delivery of any chips or tokens. This notification shall include the following information:

(A) **The** date and time of **the** delivery.

(B) **The** location of **the** delivery.

(C) A detailed description of the method and details of the secured shipment that will be utilized to transport the chips or tokens.

(D) **The** amount of chips or tokens, by denomination.

(E) **The** occupational licensee who authorized the order of the chips or tokens.

(F) Any other information deemed necessary by the executive director or commission to ensure compliance with the Act and this title.

(4) At least two (2) occupational licensees from separate departments shall open and count the chips or tokens received. ~~A commission~~ **An enforcement** agent shall also be present while the chips or tokens are being opened and counted.

(5) Any:

(A) deviation between the:

(i) actual count of chips or tokens received; and ~~the~~

(ii) invoice or packing slip accompanying the chips or tokens; or ~~any~~

(B) defects in the chips or tokens;

shall be immediately reported to the executive director.

(6) The actual count of chips or tokens shall be recorded in a log or ledger. This log or ledger will be in a format approved by the commission. The following information shall, at a minimum, be included in the log or ledger:

(A) **The** date of receipt of the chips or tokens.

(B) **The** amount of chips or tokens, by denomination.

- (C) Whether the chips are value chips or nonvalue chips.
 - (D) Whether the chips are part of the primary or reserve set of chips.
 - (E) **The** total token and chip inventory.
 - (F) Signatures of the occupational licensees counting the chips or tokens received.
 - (G) **The** name of the ~~commission~~ **enforcement** agent observing the delivery of the chips or tokens.
 - (H) **The** signature of the occupational licensee recording the entry.
 - (I) Any other information deemed necessary by the executive director or the commission to ensure compliance with the Act and this title.
- (7) If any of the chips are to be held in reserve, then those chips shall be stored in a locked cabinet separate from all other chips.

(Indiana Gaming Commission; [68 IAC 15-4-2](#); filed Jul 18, 1996, 8:45 a.m.: 19 IR 3330; filed Dec 2, 2001, 12:35 p.m.: 25 IR 1070; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 76. [68 IAC 15-5-3](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 15-5-3](#) Receipts from table games

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 3. (a) The riverboat licensee shall compute the total receipts from table games by adding the table win as defined in [68 IAC 1-1-93](#) and the daily chip float adjustment.

- (b) The daily chip float shall be computed in the following manner:
 - (1) Begin with the dollar value of chips on hand per the chip inventory ledger.
 - (2) Subtract the dollar value of the ending inventory of chips held by the riverboat licensee. The ending inventory shall include the **dollar values of the** following:
 - (A) ~~The dollar value of~~ Chips in the vault.
 - (B) ~~The dollar value of~~ Chips in the cage drawer.
 - (C) ~~The dollar value of~~ Chips in the change lockers.
 - (D) ~~The dollar value of~~ Chips on the live gaming device tables.
- (3) The daily chip float must be calculated and recorded separately for each denomination of chips.

(c) The daily chip float adjustment shall be computed by subtracting the previous gaming day's chip float from the current gaming day's chip float.

- (d) If any denomination of chip float becomes negative, the riverboat licensee must take the following steps:
 - (1) Immediately investigate the reason for the negative chip float.
 - (2) Immediately notify the ~~commission~~ **enforcement** agent.
 - (3) Notify the commission, in writing, on the next business day.

(Indiana Gaming Commission; [68 IAC 15-5-3](#); filed Jul 18, 1996, 8:55 a.m.: 19 IR 3306; filed May 29, 1998, 5:15 p.m.: 21 IR 3702; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 77. [68 IAC 15-5-4](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 15-5-4](#) Receipts from electronic gaming devices

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 4. (a) The riverboat licensee shall compute the total receipts from electronic gaming devices in the following manner:

- (1) Add the following applicable figures for electronic gaming device drop buckets:
 - (A) For electronic gaming devices that were not part of the drop bucket collection process under [68 IAC 11-2](#) for that gaming day, add the dollar value of the drop per the central computer system.

- (B) For electronic gaming devices that were part of the drop bucket collection process under [68 IAC 11-2](#) for that gaming day, add the dollar value of the contents of the drop buckets, including foreign tokens, per the hard count.
- (2) Add the following applicable figures for electronic gaming device bill validator drop boxes:
- (A) For electronic gaming device bill validator drop boxes that were not part of the currency collection process under [68 IAC 11-3](#) for that gaming day, add the dollar value of the drop per the central computer system.
- (B) For electronic gaming device bill validator drop boxes that were part of the currency collection process under [68 IAC 11-3](#) for that gaming day, add the dollar value of the contents of the bill validator drop boxes per the soft count.
- (3) Deduct **the dollar values of** the following figures:
- (A) ~~The dollar value of~~ The amount previously reported per the central computer system on a previous gaming day that is included in the drop bucket collection process or the bill validator collection process for the current gaming day.
- (B) ~~The dollar value of~~ Manually paid jackpots.
- (C) ~~The dollar value of~~ Hopper fills. The riverboat licensee shall not take a deduction for hopper fills that are made ~~prior to~~ **before** the:
- (i) commencement of gaming operations; or ~~prior to the~~
- (ii) utilization of any electronic gaming device.
- The total of subdivisions (1) ~~through~~ **and** (2) shall be added to the daily token float adjustment to arrive at the total receipts from electronic gaming devices.

- (b) The riverboat licensee shall compute the daily token float in the following manner:
- (1) Begin with the dollar value of tokens on hand per the token inventory ledger.
- (2) Subtract the dollar value of the ending token inventory held by the riverboat licensee. The ending token inventory shall include **the dollar values of** the following:
- (A) ~~The dollar value of~~ Tokens in the hard count room.
- (B) ~~The dollar value of~~ Tokens in the vault.
- (C) ~~The dollar value of~~ Tokens in the cage drawers.
- (D) ~~The dollar value of~~ Tokens in the change lockers.
- (E) ~~The dollar value of~~ Tokens in the hoppers. If this deduction is not based on an actual number of tokens in the hoppers, the figure utilized must be approved by the executive director or the executive director's designee.
- (3) The daily token float must be calculated and recorded separately for each denomination of tokens.
- (c) The daily token float adjustment shall be arrived at by subtracting the previous gaming day's token float from the current gaming day's token float.
- (d) If any denomination of token float becomes negative, the riverboat licensee must take the following steps:
- (1) Immediately investigate the reason for the negative token float.
- (2) Immediately notify the ~~commission~~ **enforcement** agent.
- (3) Notify the commission, in writing, on the next business day.

(Indiana Gaming Commission; [68 IAC 15-5-4](#); filed Jul 18, 1996, 8:55 a.m.: 19 IR 3306; filed May 29, 1998, 5:15 p.m.: 21 IR 3703; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 78. [68 IAC 15-6-1](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 15-6-1](#) General provisions

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33-12-3](#)

Sec. 1. (a) This rule applies to riverboat licensees.

(b) All admission procedures utilized by a riverboat licensee must be in compliance with this rule, and all admission taxes must be reported in accordance with this rule.

(c) The following definitions apply throughout this rule:

(1) "Carryover patron" means a patron who remains on board past the disembarkation period of any excursion following the initial excursion for which the patron boarded the riverboat.

~~(2) "Commission agent" means one (1) of the members of the Indiana state police department who is assigned to work with the commission and who is on duty.~~

~~(3) (2) "Complimentary admission ticket" means a ticket issued to a patron by the riverboat licensee wherein the patron is not charged the admission price. The riverboat licensee must pay the admission tax for that patron in accordance with this rule and [IC 4-33-12](#).~~

(3) "Enforcement agent" means one (1) of the members of the Indiana state police department who is:
(A) assigned to work with the commission; and
(B) on duty.

(4) "Passenger" includes the patrons in addition to those individuals entitled to receive a tax-free pass.

(5) "Patron" means an individual who:

(A) boards the riverboat to participate in a gambling excursion; and

(B) is not entitled to receive a tax-free pass.

(6) "RG-1" means the Daily Adjusted Gross Receipts and Tax Remittance Form.

(7) "Tax-free pass" means a pass that is issued to persons listed in [IC 4-33-12-3](#) that allows the individual to board the riverboat without paying an admission charge. The riverboat licensee does not have to remit the admission tax for persons who receive a tax-free pass. Persons on board the riverboat with a tax-free pass shall not participate in any gambling game.

(8) "Vendor" means a person who is on the riverboat to supply the riverboat licensee with a good or service necessary for the conduct of the riverboat gambling operation.

(Indiana Gaming Commission; [68 IAC 15-6-1](#); filed Jul 3, 1996, 5:00 p.m.: 19 IR 3044; errata filed Oct 23, 1996, 12:00 p.m.: 20 IR 760; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 79. [68 IAC 15-6-2](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 15-6-2](#) Admissions

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33-9-2](#)

Sec. 2. Admissions to the riverboat must be conducted in the following manner:

(1) Should a riverboat licensee choose not to observe flexible scheduling, the requirements are as follows:

(A) The embarkation period for each gaming excursion may not exceed a period of thirty (30) minutes.

(B) The disembarkation period for each gaming excursion may not exceed a period of thirty (30) minutes.

During the disembarkation period, no new patrons shall be allowed to board the riverboat.

(C) The riverboat licensee may allow patrons to disembark during the embarkation period for the next gaming excursion or at anytime that the riverboat remains at the dock and gambling continues in accordance with [IC 4-33-9-2](#). The riverboat licensee is responsible for ensuring it is in compliance with subdivision (10) at all times. The admissions tax must be paid by the patron or the riverboat licensee for any patron who disembarks:

(i) during the embarkation period for the next gaming excursion; or ~~who disembarks~~

(ii) at any time during a gaming excursion after the conclusion of the thirty (30) minute disembarkation period.

(D) The admissions tax must be paid by the carryover patron or the riverboat licensee for each excursion that a patron remains on board.

(2) Should a riverboat licensee choose to observe flexible scheduling, the:

(A) embarkation and disembarkation are not limited to any period; and ~~the~~

(B) patrons shall be allowed to board or exit at will.

(3) Whether or not a riverboat licensee chooses to observe flexible scheduling:

(A) all patrons boarding or exiting the riverboat must pass through a turnstile or other approved patron counting equipment;

(B) the riverboat licensee is responsible for ensuring that the turnstile or equivalent keeps an accurate count of the patrons who board the riverboat; and

(C) if a patron exits the riverboat and passes through a turnstile or the equivalent, the patron may not reenter the riverboat until the patron:

(i) pays whatever boarding fee is required of a patron boarding for the first time; or

(ii) is issued a complimentary pass by the riverboat licensee.

(4) Should a riverboat licensee choose not to observe flexible scheduling, a passenger count must be completed for each gambling excursion.

(5) Should a riverboat licensee choose to observe flexible scheduling, a passenger count must be completed for the gaming day.

(6) Should a riverboat licensee choose to observe twenty-four (24) hour gaming, a passenger count must be computed at the end of each gaming day and shall include those patrons remaining on board the riverboat at the time of each new gaming day. The following four (4) counts will be recorded at the close of the gaming day:

(A) If applicable, the actual admissions ticket count.

(B) The patron ingress turnstile count.

(C) The patron egress turnstile count.

(D) If applicable, the total onboard count.

At the close of the gaming day, boarding and exiting will be momentarily suspended to allow for the recording of the meters and the taking of the turnstile counts. The onboard count shall be added to the new gaming day's ingress turnstile count. The recording, resetting, and onboard additions to the ingress turnstile shall be completed in the presence of and observed by a ~~commission~~ **an enforcement** agent. For admission tax reporting for twenty-four (24) hour gaming, the count shall be adjusted to account for and include the onboard count.

(7) The riverboat licensee shall submit passenger count procedures to the executive director at least sixty (60) days before the commencement of gambling operations. The passenger count procedures shall include, but not be limited to, the following:

(A) A description of the type of equipment that will be utilized to complete a patron count.

(B) The form that will be utilized to report the patron count.

(C) The procedure that will be utilized to ensure patron boarding occurs only during the appropriate embarkation period should a riverboat licensee choose not to observe flexible scheduling.

(D) Emergency procedures that will be utilized in case the primary patron counting equipment malfunctions.

(E) The manner in which the riverboat licensee will ensure that the total number of passengers does not exceed the capacity of the riverboat as set forth in the certificate of inspection issued by the United States Coast Guard.

(F) Any other information deemed necessary by the executive director or the commission to ensure compliance with the Act and this title.

(8) The riverboat licensee shall notify the ~~commission~~ **enforcement** agent immediately if the primary patron counting system malfunctions.

(9) The following individuals are entitled to a tax-free pass and do not have to pass through the patron counting equipment when boarding the riverboat:

(A) Occupational licensees of the riverboat licensee.

(B) Other employees of the riverboat licensee who are boarding the riverboat in the performance of official duties.

(C) Commission:

(i) members;

(ii) staff; and

(iii) agents.

(D) Official guests approved by commission:

(i) members;

(ii) staff; and

(iii) agents.

(E) Vendors who have completed the appropriate vendor log in accordance with section 4 of this rule.

(F) Any other person authorized by the executive director or the commission to ensure compliance with the Act and this title.

(10) All persons boarding the riverboat on a tax-free pass must have an appropriate badge.

(11) At no time shall the riverboat licensee allow the total number of passengers to exceed the capacity of the riverboat as set forth in the certificate of inspection issued by the United States Coast Guard.

(Indiana Gaming Commission; 68 IAC 15-6-2; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3045; filed Aug 20, 1997, 7:11 a.m.: 21 IR 19; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261; filed Feb 14, 2005, 10:10 a.m.: 28 IR 2015)

SECTION 80. [68 IAC 15-7-2](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 15-7-2](#) Table games

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 2. (a) The riverboat licensee shall require the revenue auditor or its equivalent to perform certain procedures on a daily basis. These procedures should be performed on a sample basis for both computerized and manual forms and shall include, at a minimum, the following:

- (1) Trace table game fills and credit slips originals to duplicate copies and to orders for fills and credits to verify agreement.
- (2) Review the table game fills and credits slips for the proper number of authorized signatures, date-time stamps, and accurate arithmetic.
- (3) Verify and account for the numerical sequence of the table games fills and credits slips.
- (4) Review all voided table game fills and credits for appropriate handling and required number of authorized signatures. Assure that all appropriate forms are attached.
- (5) Verify that credits and fills are properly recorded for the computation of win.
- (6) Trace opening drop cards to the previous shift's closing inventory slip to verify agreement and test for completeness and propriety.
- (7) Trace fills and credits, opening and closing table chip inventories, and marker transactions to the marker gaming reports.
- (8) Trace the detail from the master gaming report into the accounting entries recording the transactions and to the total cash summary.
- (9) Any other procedures deemed necessary by the executive director or the commission to ensure compliance with the Act and this title.

(b) The riverboat licensee shall require that all variances or discrepancies from subsection (a) shall be investigated, recorded, and reported to the head of the accounting department or its equivalent. The information shall be made available upon demand by the commission staff or ~~commission~~ **enforcement agent**.

(c) Any variances or discrepancies that affect the calculation of the win shall be adjusted for in the financial statements and reported on Form RG-1 for the appropriate gaming day.

(Indiana Gaming Commission; [68 IAC 15-7-2](#); filed Jul 18, 1996, 8:45 a.m.: 19 IR 3331; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 81. [68 IAC 15-7-4](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 15-7-4](#) Admission revenue

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 4. (a) The riverboat licensee shall establish auditing procedures in connection with admissions revenue. These procedures shall be performed on a daily basis and shall include, at a minimum, the following:

- (1) Review the passenger count form and summary passenger count form for propriety and completeness.
- (2) Recalculate the admissions revenue and admissions tax per the passenger count forms and reconcile the total to the summary passenger count form.
- (3) Ensure the numbers on the passenger count forms and summary passenger count forms correspond to the numbers entered on Schedule A of Form RG-1.
- (4) On a sample basis, the auditor or his or her equivalent will verify admissions revenue and tax by:
 - (A) counting the boarding passes; and
 - (B) comparing the total to the passenger count form.

(b) The riverboat licensee shall require that all variances or discrepancies from subsection (a) be investigated, recorded, and reported to the head of the accounting department or equivalent and the commission staff or ~~commission~~ **enforcement agent**.

(c) Any variances or discrepancies that affect the calculation of table game wins shall be adjusted for in the financial statements and reported on Form RG-1 on the gaming day the variance or discrepancy was discovered.

(Indiana Gaming Commission; [68 IAC 15-7-4](#); filed Jul 18, 1996, 8:45 a.m.: 19 IR 3332; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 82. [68 IAC 15-9-1](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 15-9-1](#) Applicability; general provisions

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 1. (a) This rule applies to riverboat licensees.

(b) The following definitions apply throughout this rule:

~~(1) "Commission agent" means one (1) or more of the members of the Indiana state police department who is assigned to work for the commission's gaming enforcement section and who is on duty.~~

~~(2) (1) "Gaming occupational licensee" means an occupational licensee that is:~~

~~(A) actively involved in dealing a game; or~~

~~(B) assisting with the direct operation of a gambling game.~~

~~(3) (2) "Tip count team" means a team comprised of at least two (2) individuals, one (1) of whom shall be a dealer and another a casino cage cashier.~~

(c) Gaming occupational licensees may accept chips and tokens as a tip or gratuity only in accordance with this rule.

(d) The riverboat licensee or riverboat license applicant shall establish policies for the acceptance of tips and gratuities for gaming and nongaming employees. These policies shall include, at a minimum, the following requirements:

(1) No gaming occupational licensee shall accept currency as a tip or gratuity.

(2) No riverboat gaming operation key person or occupational licensee who serves in a supervisory position shall solicit or accept tips or gratuities from a patron.

(3) No riverboat employee shall solicit any tip or gratuity.

(4) No portion of a winning tip bet is allowed to remain in action. All tip bets won shall be shown to the surveillance camera and then immediately placed in the tip box by the dealer.

(5) Any other policies deemed necessary by the executive director of the commission to ensure compliance with the Act and this title.

(e) A patron may pay for food and beverages with chips or tokens purchased or won by the patron. Chips and tokens received as payment for food and beverages shall be redeemed in accordance with section 4 of this rule.

(Indiana Gaming Commission; [68 IAC 15-9-1](#); filed Jul 18, 1996, 8:45 a.m.: 19 IR 3335; filed Mar 21, 1997, 10:00 a.m.: 20 IR 2098; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 83. [68 IAC 15-9-3](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 15-9-3](#) Removal, collection, and counting of tip boxes

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 3. (a) The riverboat licensee shall establish policies and procedures in connection with the removal, collection, and counting of the tip box contents for subsequent distribution to gaming occupational licensees. These policies and procedures shall include, at a minimum, the following:

(1) Tip boxes will be dropped and counted at the end of each day. Surveillance will be notified ~~prior to~~ **before** the emptying of any tip boxes.

(2) Surveillance will be required to tape and monitor the drop and count. The tape:

(A) will be maintained for a minimum of five (5) days; ~~The tape and~~

- (B) shall be made available to the commission staff or **enforcement** agent upon request.
- (3) The drop and count will be performed once a day by the tip count team in the presence of a security officer.
- (4) The results of the tip count shall be:
 - (A) documented on at least a two-part tip and gratuity form; and ~~be~~
 - (B) signed by the tip count team ~~prior to~~ **before** transportation to the casino cage.
- (5) The tips and the original and duplicate copy of the tip and gratuity form shall be transported to a casino cage by the tip count team. The casino cashier, in the presence of the tip count team, shall **do the following**:
 - (A) Verify the drop.
 - (B) Sign the original and duplicate of the tip and gratuity form.
 - (C) Maintain the duplicate for accountability. ~~and~~
 - (D) Return the original to the tip count team.
- (6) The duplicate copy shall be forwarded by the cage to accounting.
- (7) Tips shall be deposited into a bank for pro rata distribution among the employees.
- (8) Distribution of tips and gratuities shall be:
 - (A) made following the riverboat licensee's payroll accounting practices; and ~~shall be~~
 - (B) subject to all applicable state and federal withholding taxes.
- (9) Any other policies and procedures deemed necessary by the executive director or the commission to ensure compliance with the Act and this title.

(b) The riverboat licensee shall establish procedures for the emptying of full tip box containers during the day. The procedures shall include, at a minimum, the following:

- (1) The contents are to be placed in a locked, secured container within the pit area.
- (2) At least two (2) occupational licensees to perform the drop.
- (3) Surveillance shall be notified ~~prior to~~ **before** the drop.
- (4) Procedures for the checking out of the key for access to the tip box. These procedures shall be in accordance with [68 IAC 11-7](#).
- (5) Any other procedures deemed necessary by the executive director or the commission to ensure compliance with the Act and this title.

(Indiana Gaming Commission; [68 IAC 15-9-3](#); filed Jul 18, 1996, 8:45 a.m.: 19 IR 3335; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 84. [68 IAC 15-10-4.1](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 15-10-4.1](#) Cage variances

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 4.1. (a) All cage inventories must be accurately reported at the conclusion of each shift on the inventory form utilized by the riverboat licensee. All overages and shortages must be recorded at the conclusion of the shift during which the variance was discovered.

(b) All cage variances of five hundred dollars (\$500) or two percent (2%), whichever is less, must be reported on a form approved by the commission to the following within one (1) business day after the discovery of the variance:

- (1) The security department.
- (2) The surveillance department.
- (3) ~~A commission~~ **An enforcement** agent.

(c) All variances of five thousand dollars (\$5,000) or more or a variance of any amount that is of a nature that indicates criminal activity must be reported on a form approved by the commission to the following immediately:

- (1) The security department.
- (2) The surveillance department.
- (3) ~~A commission~~ **An enforcement** agent.

These variances must be reported to the commission audit staff at the beginning of the next business day.

(d) All variances of five hundred dollars (\$500) or two percent (2%), whichever is less, or any variance that is

of a nature that indicates criminal activity must be investigated by the riverboat licensee. The variance and the results of the investigation must be reported to the head of the accounting department or the equivalent. All unresolved variances must be investigated by the accounting director or designee. The results of the investigation shall be reported on the document provided to him or her by the cage department. Any surveillance tapes or records relating to the variance must be preserved and retained by the riverboat licensee until the regional audit administrator for the commission advises the tapes or records, or both, may be recycled. The results of any investigation into these variances must be reported to a ~~commission~~ **an enforcement** agent. If the variance that was investigated exceeded five thousand dollars (\$5,000), the results of the investigation must also be reported to the commission audit staff.

(e) The riverboat licensee's internal auditor must review, on a quarterly basis, cage variances to ensure that the variances are appropriately and thoroughly investigated and reported. The results of the internal auditor's review must be reflected on the quarterly internal audit report filed in accordance with [68 IAC 15-8](#).

(Indiana Gaming Commission; [68 IAC 15-10-4.1](#); filed Jun 19, 2000, 10:34 a.m.: 23 IR 2702; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261; filed Sep 30, 2004, 11:05 a.m.: 28 IR 530)

SECTION 85. [68 IAC 17-1-1](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 17-1-1](#) General provisions

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 1. (a) This rule applies to all riverboat licensees and riverboat license applicants.

(b) Electronic gaming devices may only be moved in accordance with this rule. Riverboat licensees, riverboat license applicants, and supplier licensees must comply with this rule before ~~any of the following occur~~: **electronic gaming devices are transported**:

- ~~(1) Electronic gaming devices are transported from any point outside of Indiana into the state of Indiana;~~
- ~~(2) Electronic gaming devices are transported from any point within Indiana to any point outside of Indiana;~~
- and**
- ~~(3) Electronic gaming devices are transported within Indiana.~~

(c) Except as provided in section 2(d) of this rule, transportation notification is not required for the movement of an electronic gaming device on the casino floor of a riverboat.

~~(d) As used in this rule, "commission agent" means one (1) of the members of the Indiana state police department who is assigned to work for the commission's gaming enforcement section who is on duty.~~

~~(e)~~ **(d)** Electronic gaming devices may only be sold or delivered, or both, to riverboat licensees, riverboat license applicants, or other persons entitled to possess electronic gaming devices pursuant to applicable state and federal law.

~~(f)~~ **(e)** An electronic gaming device may not be delivered to a riverboat licensee or a riverboat license applicant unless a member of the commission staff or a ~~commission~~ **an enforcement** agent is present at the point of delivery. The riverboat licensee is responsible for ensuring that a member of the commission staff or a ~~commission~~ **an enforcement** agent is present at the point of delivery.

~~(g)~~ **(f)** All EPROMs shall be transported separately from the shipment of electronic gaming devices. If an electronic gaming device:

- (1)** is not being utilized by a riverboat licensee; and
- (2)** is being stored off of the riverboat;

the EPROM shall be stored separately in a locked safe or the equivalent.

~~(h)~~ **(g)** Only a person who:

(1) is licensed by the commission; or ~~who~~

(2) has the legal ability to possess an electronic gaming device in the jurisdiction in which the person will hold the electronic gaming device;

may purchase an electronic gaming device from a riverboat licensee or supplier licensee.

(Indiana Gaming Commission; 68 IAC 17-1-1; filed Apr 19, 1996, 3:00 p.m.: 19 IR 2275; filed June 1, 1998, 2:46 p.m.: 21 IR 3707; filed Jul 10, 2000, 4:48 p.m.: 23 IR 3071; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 86. [68 IAC 17-1-2](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 17-1-2](#) Electronic gaming device movements

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 2. (a) At least ten (10) days before transporting electronic gaming devices, the person causing the movement of the electronic gaming device shall notify the executive director, in writing, and provide the following information:

(1) The full name, business address, and business telephone number of the **following**:

(A) The person selling the electronic gaming device.

~~(2) The full name, business address, and business telephone number of~~ (B) The ultimate owner of the electronic gaming device if ownership is being changed in connection with the transportation of the electronic gaming device.

~~(3)~~ (2) The:

(A) method of transportation; and ~~the~~

(B) name, business address, and business telephone number of the carrier or carriers.

~~(4)~~ (3) The full name, business address, and business telephone number of the person to whom the electronic gaming device is being transported.

~~(5)~~ (4) The individual responsible for the shipment of the electronic gaming device for each person listed in subdivisions (1) through ~~(4)~~. (3).

~~(6)~~ (5) The destination of the electronic gaming device if the address is different from the business address listed in subdivision ~~(2)~~. (1)(B).

~~(7)~~ (6) The quantity of electronic gaming devices being transported.

~~(8)~~ (7) A brief description of the electronic gaming device being transported.

~~(9)~~ (8) The serial number of the electronic gaming device and a request for the issuance of a commission registration number in accordance with [68 IAC 2-6-5\(a\)\(9\)](#).

~~(10)~~ (9) The expected date and time of **the following**:

(A) Delivery of the electronic gaming device to the riverboat.

~~(11) The expected date and time of~~ (B) The exit of the electronic gaming device if the device is exiting Indiana.

~~(12)~~ (10) If the origin of the electronic gaming device being transported into Indiana is outside of the United States, the:

(A) port of exit from that jurisdiction; and ~~the~~

(B) point of entry into the United States.

~~(13)~~ (11) If the electronic gaming device is being transported to a destination outside of the United States, the port of exit from the United States.

~~(14)~~ (12) The reason for the transportation of the electronic gaming device.

~~(15)~~ (13) Upon request by the executive director, the person selling the electronic gaming device must prove that the recipient is authorized, under state and federal law, to receive the electronic gaming device.

(b) The person receiving the electronic gaming device **must** prove receipt of the electronic gaming device if requested by the executive director.

(c) Before an electronic gaming device is removed from the casino floor, the riverboat licensee or riverboat license applicant must ensure the following actions are taken:

(1) The hopper is emptied in accordance with [68 IAC 15-11-4](#).

(2) ~~A commission~~ **An enforcement** agent removes the evidence tape that was affixed in accordance with [68 IAC 2-6-19](#).

(3) Before an electronic gaming device is removed from Indiana, the riverboat licensee or riverboat license

applicant shall:

(A) remove the commission registration tag; and

(B) return the tag to the ~~commission~~ **enforcement** agent. A ~~commission~~

An enforcement agent must be present when the commission registration tag is removed.

(d) Riverboat licensees or riverboat license applicants must notify the executive director, in writing, of the following information before moving an electronic gaming device on the floor of the riverboat:

(1) The change in the position or location number of the electronic gaming device.

(2) The new designation the electronic gaming device will have in the central computer system.

(3) Any other information deemed necessary by the executive director or the commission to ensure compliance with the Act and this title.

(Indiana Gaming Commission; [68 IAC 17-1-2](#); filed Apr 19, 1996, 3:00 p.m.: 19 IR 2276; filed Jul 18, 1996, 8:55 a.m.: 19 IR 3316; errata filed Oct 28, 1997, 3:45 p.m.: 21 IR 1006; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 87. [68 IAC 17-1-3](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 17-1-3](#) Electronic gaming device transportation log

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 3. (a) Each riverboat licensee and riverboat license applicant must maintain an electronic gaming device movement log on forms prescribed by the commission. The electronic gaming device movement log shall contain, at a minimum, the following information:

(1) The:

(A) manufacturer; ~~of the electronic gaming device being transported. and~~

~~(2) The (B) type;~~

of ~~the~~ electronic gaming device being transported.

~~(3) (2) The:~~

(A) serial number and commission registration number, if issued; ~~of the electronic gaming device. and~~

~~(4) The (B) destination;~~

of the electronic gaming device.

~~(5) (3) The expected date and time of shipment.~~

~~(6) (4) The:~~

(A) method of transportation; and ~~the~~

(B) name, business address, and business telephone number of the carrier or carriers.

~~(7) (5) Any other information the executive director or the commission deems necessary to ensure compliance with the Act and this title.~~

(b) The electronic gaming device movement log shall be:

(1) maintained by the riverboat licensee and the riverboat license applicant for a minimum of five (5) years; and ~~shall be~~

(2) made available for inspection upon demand by the commission or ~~a commission~~ **an enforcement** agent.

(Indiana Gaming Commission; [68 IAC 17-1-3](#); filed Apr 19, 1996, 3:00 p.m.: 19 IR 2276; filed Jul 18, 1996, 8:55 a.m.: 19 IR 3317; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 88. [68 IAC 17-2-1](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 17-2-1](#) General provisions

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 1. (a) This rule applies to all riverboat licensees and riverboat license applicants.

(b) Live gaming devices may only be moved in accordance with this rule. Riverboat licensees, riverboat license applicants, and supplier licensees must comply with this rule before ~~any of the following occur:~~ **live gaming devices are transported:**

(1) ~~Live gaming devices are transported~~ from any point:

~~(A) outside of Indiana into Indiana; or~~

~~(2) Live gaming devices are transported from any point (B) within Indiana to any point outside Indiana; or~~

~~(3) Live gaming devices are transported (2) within Indiana.~~

(c) Except as provided in section 2(c) of this rule, transportation notification is not required for movement of a live gaming device on the casino floor of a riverboat.

~~(d) As used in this rule, "commission agent" means one (1) of the members of the Indiana state police department who is assigned to work with the commission.~~

~~(e)~~ (d) Live gaming devices may only be sold or delivered, or both, to **the following:**

(1) Riverboat licensees.

(2) Riverboat license applicants. ~~or~~

(3) Other persons entitled to possess live gaming devices under applicable state and federal law.

(f) (e) A live gaming device may not be delivered to a riverboat licensee or a riverboat license applicant unless a member of the commission staff or ~~a commission~~ **an enforcement** agent is present at the point of delivery. The riverboat licensee is responsible for ensuring that a member of the commission staff or ~~a commission~~ **an enforcement** agent is present at the point of delivery.

~~(g)~~ (f) Only a person who:

(1) is licensed by the commission; or ~~who~~

(2) has the legal ability to possess a live gaming device in the jurisdiction in which the person will hold the live gaming device;

may purchase a live gaming device from a riverboat licensee or supplier licensee.

(Indiana Gaming Commission; 68 IAC 17-2-1; filed Jul 3, 1996, 5:00 p.m.: 19 IR 3047; filed Jul 10, 2000, 4:48 p.m.: 23 IR 3071; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 89. [68 IAC 17-2-2](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 17-2-2](#) Live gaming device movements

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 2. (a) At least ten (10) days before transporting live gaming devices, the person causing the movement of the live gaming device shall notify the executive director, in writing, and provide the following information:

(1) The full name, business address, and business telephone number of the ultimate owner of **the following:**

~~(A) The person selling the live gaming device.~~

~~(2) The full name, business address, and business telephone number of the ultimate owner of (B) The live gaming device if ownership is being changed in connection with the transportation of the live gaming device.~~

~~(3)~~ (2) The:

~~(A) method of transportation; and the~~

~~(B) name, business address, and business telephone number of the carrier or carriers.~~

~~(4)~~ (3) The full name, business address, and business telephone number of the person to whom the live gaming device is being transported.

~~(5)~~ (4) The individual responsible for the shipment of the live gaming device for each person listed in subdivisions (1) through ~~(4)~~: (3).

~~(6)~~ (5) The destination of the live gaming device if the address is different from the business address listed in subdivision ~~(2)~~: (1)(B).

~~(7)~~ (6) The quantity of live gaming devices being transported.

~~(8)~~ (7) A brief description of each live gaming device being transported.

~~(9)~~ **(8)** Any serial number assigned to the live gaming device and a request for the issuance of a commission registration number in accordance with [68 IAC 14-1-2](#).

~~(10)~~ **(9)** The expected date and time of **the following**:

(A) Delivery of the live gaming device to the riverboat.

~~(11)~~ **(B)** The exit of the live gaming device if the device is exiting Indiana.

~~(12)~~ **(10)** If the origin of the live gaming device being transported into Indiana is outside of the United States, the:

(A) port of exit from that jurisdiction; and ~~the~~

(B) point of entry into the United States.

~~(13)~~ **(11)** If the live gaming device is being transported to a destination outside of the United States, the port of exit from the United States.

~~(14)~~ **(12)** The reason for the transportation of the live gaming device.

~~(15)~~ **(13)** Upon request by the executive director, the person selling the live gaming device must prove that the recipient is authorized, under state and federal law, to receive the live gaming device.

(b) The person receiving the live gaming devices must prove receipt of the live gaming device if requested by the executive director.

(c) Before a live gaming device is removed from the casino floor, the riverboat licensee or riverboat license applicant shall:

(1) remove the commission registration tag; and

(2) return the tag to the ~~commission~~ **enforcement** agent. ~~A commission~~

An enforcement agent must be present when the commission registration tag is removed.

(d) The riverboat licensee or riverboat license applicant must notify the executive director and the ~~commission~~ **enforcement** agent, in writing, of the following information before moving a live gaming device on the floor of the riverboat:

(1) The change in the position or location number of the live gaming device.

(2) Any change in designation the live gaming device will have in the central computer system.

(3) Any other information deemed necessary by the executive director or the commission to ensure compliance with the Act and this title.

(Indiana Gaming Commission; [68 IAC 17-2-2](#); filed Jul 3, 1996, 5:00 p.m.: 19 IR 3047; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 90. [68 IAC 17-2-3](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 17-2-3](#) Live gaming device transportation log

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 3. (a) Each riverboat licensee and riverboat license applicant must maintain a live gaming device log on forms prescribed by or approved by the commission. The live gaming device movement log shall contain, at a minimum, the following information:

(1) The:

(A) manufacturer; ~~of the live gaming device being transported. and~~

~~(2) The~~ **(B)** type;

of ~~the~~ live gaming device being transported.

~~(3)~~ **(2)** Any serial number assigned to the live gaming device, and the commission registration number, if issued, of the live gaming device.

~~(4)~~ **(3)** The destination of the live gaming device.

~~(5)~~ **(4)** The expected date and time of the shipment.

~~(6)~~ **(5)** The:

(A) method of transportation; and ~~the~~

(B) name, business address, and business telephone number of the carrier or carriers.

~~(7)~~ **(6)** Any other information the executive director or the commission deems necessary to ensure compliance with the Act and this title.

(b) The live gaming device movement log shall be:

(1) maintained by the riverboat licensee and riverboat license applicant for a minimum of five (5) years; and shall be

(2) made available for inspection upon demand by the commission or ~~a commission~~ **an enforcement agent**.

(Indiana Gaming Commission; [68 IAC 17-2-3](#); filed Jul 3, 1996, 5:00 p.m.: 19 IR 3048; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 91. [68 IAC 18-1-1](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 18-1-1](#) General provisions

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 1. (a) This rule applies to riverboat licensees and occupational licensees.

(b) All patron disputes shall be settled in compliance with this rule.

(c) The following definitions apply throughout this rule:

(1) "Complaint" means the form, prescribed by the commission, ~~which~~ **that** a patron shall complete and submit to file a patron complaint.

(2) "Commission agent" means ~~one (1) of the members of the Indiana state police department who is assigned to work with the commission and who is on duty.~~

~~(3)~~ **(2)** "Patron complaint" means any and all complaints a patron may have regarding the patron's treatment while gaming or while on the riverboat. ~~Patron complaint~~ **The term** includes disputes about patron winnings.

(Indiana Gaming Commission; [68 IAC 18-1-1](#); filed Jul 18, 1996, 8:55 a.m.: 19 IR 3317; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

SECTION 92. [68 IAC 18-1-2](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 18-1-2](#) Patron dispute process

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33](#)

Sec. 2. (a) The riverboat licensee shall attempt to resolve all patron disputes with the patron.

(b) If the riverboat licensee and the patron cannot resolve the dispute, the riverboat licensee must advise the patron of the patron's right to file a complaint with the commission. The complaint may be:

(1) received by the ~~commission~~ **enforcement agent**; or

(2) sent to the commission office in Indianapolis, Indiana.

The riverboat licensee shall provide a patron with a complaint form upon request.

(c) The complaint shall contain, at a minimum, the following information:

(1) The name, address, and telephone number of the patron.

(2) A summary of the nature of the patron complaint, including the date and time on which the incident leading to the dispute occurred.

(3) A list of the names, if known, of any occupational licensees that were involved in or a witness to the incident that led to the patron dispute.

(4) The name, address, and telephone number, if known, of any witnesses to the incident that led to the patron dispute.

(5) A summary of the riverboat licensee's attempt to resolve the patron dispute.

(6) Any other information deemed necessary by the executive director or the commission.

The patron shall submit the complaint within five (5) business days of the incident that led to the patron dispute.

(d) The riverboat licensee shall respond to the commission regarding a patron complaint within the time period prescribed by the commission.

(Indiana Gaming Commission; [68 IAC 18-1-2](#); filed Jul 18, 1996, 8:55 a.m.: 19 IR 3318; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261; filed Sep 30, 2004, 11:05 a.m.: 28 IR 531)

SECTION 93. [68 IAC 19-1-4](#) IS AMENDED TO READ AS FOLLOWS:

[68 IAC 19-1-4](#) Commission access; maintenance of records

Authority: [IC 4-33-4-1](#); [IC 4-33-4-2](#); [IC 4-33-4-3](#)

Affected: [IC 4-33-4-11](#); [IC 4-33-7-3](#)

Sec. 4. (a) The commission staff and **enforcement** agents must have access to:

(1) the warehouse; and

(2) any records stored in the warehouse;

immediately upon request.

(b) All records pertaining to the warehouse must be maintained in Indiana for a period of at least two (2) years.

(Indiana Gaming Commission; [68 IAC 19-1-4](#); filed Jul 10, 2000, 4:46 p.m.: 23 IR 3067; readopted filed Nov 25, 2002, 10:11 a.m.: 26 IR 1261)

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